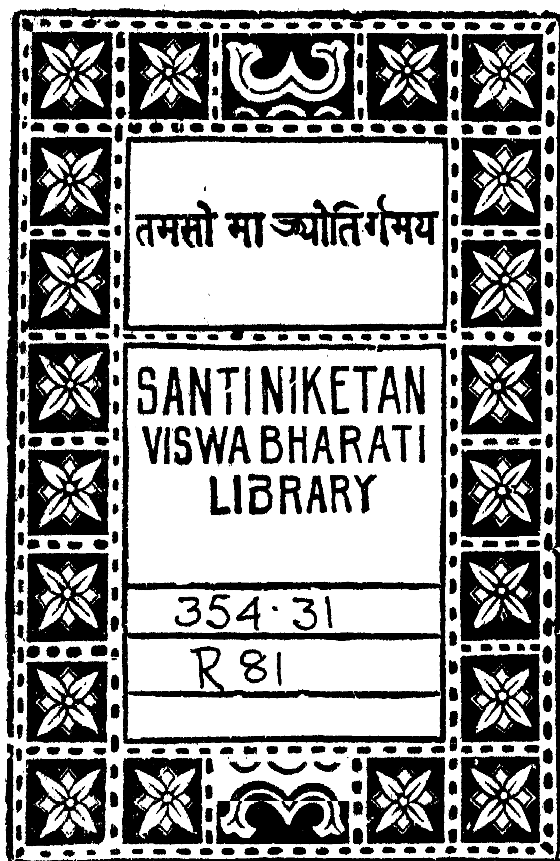


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ROYAL COMMISSION ON LABOUR IN INDIA

REPORT

of the

Royal Commission on Labour in India

CALCUTTA: GOVERNMENT OF INDIA
CENTRAL PUBLICATION BRANCH
1931

The total cost of the Commission is estimated at Rs. 10,50,000 (about £78,750).

ROYAL COMMISSION.

GEORGE R. I.

GEORGE THE FIFTH, by the Grace of God, of Great Britain, Ireland and the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India, to

Our Right Trusty and Well-Beloved Counsellor John Henry Whitley;

Our Right Trusty and Well-Beloved Counsellor Valangimon Shankaranarayana Srinivasa Sastri,

Our Trusty and Well-Beloved :—

Sir Ellice Victor Sassoon, Baronet;

Sir Ibrahim Rahimtoola, Knight Commander of Our Most Exalted Order of the Star of India, Companion of Our Most Eminent Order of the Indian Empire;

Sir Alexander Robertson Murray, Knight Commander of Our Most Excellent Order of the British Empire;

Andrew Gourlay Clow, Esquire, Companion of Our Most Eminent Order of the Indian Empire, Indian Civil Service;

Kabeer-ud-Din Ahmed, Esquire;

Ghanshyam Das Birla, Esquire;

John Cliff, Esquire;

Narayan Malhar Joshi, Esquire;

Diwan Chaman Lall; and

Beryl Millicent le Poer Power, Spinster;

Greeting!

Whereas We have deemed it expedient that a Commission should forthwith issue to enquire into and report on the existing conditions of labour in industrial undertakings and plantations in British India, on the health, efficiency and standard of living of the workers, and on the relations between employers and employed, and to make recommendations:

Now know ye that We, reposing great trust and confidence in your knowledge and ability, have authorised and appointed, and do by these Presents authorise and appoint you the said John Henry Whitley (Chairman); Valangimon Shankaranarayana Srinivasa Sastri; Sir Ellice Victor Sassoon; Sir Ibrahim Rahimtoola; Sir Alexander Robertson Murray; Andrew Gourlay Clow; Kabeer-ud-Din Ahmed; Ghanshyam Das Birla; John Cliff; Narayan Malhar Joshi; Diwan Chaman Lall and Beryl Millicent le Poer Power to be Our Commissioners for the purposes of the said Inquiry:

And for the better effecting the purposes of this Our Commission, We do by these Presents give and grant unto you, or any three or more of you, full power at any place in Our United Kingdom or in India, to call before you such persons as you shall judge likely to afford you any information upon the subject of this Our Commission ; and also whether in Our said United Kingdom or in India to call for information in writing ; to call for, have access to and examine all such books, documents, registers and records as may afford you the fullest information on the subject, and to inquire of and concerning the premises by all other lawful ways and means whatsoever :

And We do by these Presents authorise and empower you, or any of you, to visit and inspect personally such places as you may deem it expedient so to inspect for the more effectual carrying out of the purposes aforesaid :

And We do by these Presents will and ordain that this Our Commission shall continue in full force and virtue, and that you Our said Commissioners, or any three or more of you, may from time to time proceed in the execution thereof, and of every matter and thing therein contained, although the same be not continued from time to time by adjournment :

And We do further ordain that you, or any three or more of you, have liberty to report your proceedings under this Our Commission from time to time if you shall judge it expedient so to do :

And Our further will and pleasure is that you do, with as little delay as possible, report to Us under your hands and seals, or under the hands and seals of any three or more of you, your opinion upon the matters herein submitted for your consideration.

Given at Our Court at Saint James's the Fourth day of July, One thousand nine hundred and twenty-nine ; In the Twentieth Year of Our Reign.

By His Majesty's Command.

J. R. Clynes.

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ROYAL COMMISSION ON LABOUR IN INDIA.

REPORT.

To

THE KING'S MOST EXCELLENT MAJESTY.

May it please Your Majesty,

We, the Commissioners appointed to enquire into and report on the existing conditions of labour in industrial undertakings and plantations in British India, on the health, efficiency and standard of living of the workers, and on the relations between employers and employed, and to make recommendations; humbly submit to Your Majesty the following Report.

Our Report is signed by all of us with the exception of Sir Ibrahim Rahimtoola who was elected President of the Legislative Assembly on the 17th of January 1931. From that date he was unable to take further part in our proceedings and for this reason he does not sign the Report. We are grateful to him for the help which he gave until he was called to other duties.

CHAPTER I.—INTRODUCTION.

Tours.

After our appointment, we prepared a list of subjects on which we particularly desired information, and arranged for its despatch, with a short covering letter, to those bodies and individuals who appeared likely to be in a position to provide information of value, inviting them to send memoranda. The letter and the list will be found in an Appendix to this Report. Thereafter we assembled at Bombay on 11th October 1929, and began our public sessions at Karachi four days later. Between that date and 22nd March 1930, the Commission was continuously on tour and visited all the eight major provinces of British India (excluding Burma), and Delhi, Ajmer-Merwara and Coorg. During the course of this tour we held 107 public sessions at 37 different places, which included all the leading industrial centres in India proper. We met again in London on 3rd June 1930, and between that date and 13th August 1930 we held there 24 sessions for recording evidence and for the consideration of the material then in our hands. Thereafter we left England for Burma, spending on the way 4 days in Ceylon for the purpose of gaining certain information relating to conditions in plantations in that island. We reached Burma on 19th October 1930 and, after a tour there, sailed for India on 11th November 1930. We met again in Delhi for the preparation of this Report. Prefaced to it is a sketch map of our tours, which extended to 16,000 miles, exclusive of the journeys between London and Bombay and Colombo. In the course

of our enquiry we held in all 128 public sittings for the examination of witnesses and 71 private sessions.

Assistant Commissioners.

In each province we were aided in our enquiries by Assistant Commissioners, who were selected with the help of provincial Governments as representatives of employing and labouring interests. We had the co-operation of a special body of Assistant Commissioners in respect of railway questions. In addition, we had associated with us in most areas one or more ladies with local knowledge and experience. A list of all those who served in these capacities is appended to the Report. We thus had the advantage of being associated with a body of men and women who, though they took no part in the framing of our Report, brought to our sessions a wealth of wide experience, intimate local knowledge, and wise counsel.

Procedure.

In all the centres visited we invited a selection of those witnesses who had forwarded memoranda to appear before us for oral examination, and we were thus enabled to examine representatives of all the Governments, all the leading associations of employers, nearly all the leading labour associations and a large number of individual witnesses, both official and non-official. We also visited as many industrial undertakings and plantations as we could in order to familiarise ourselves with the nature of the work, to come into closer contact with managements and workers, and to enable us to form a true judgment of the conditions. We made 180 such visits. In addition, in all the more important centres, we made inspections of housing conditions in the areas where the workers live and of hospitals and other institutions which concerned our enquiry. As our tour progressed we found it increasingly useful to examine workers selected by ourselves at the scene of their work or near their own homes. We were thus able, in many cases, to secure evidence of a character which could not have been obtained by summoning the witnesses in question to more formal surroundings. After we had completed the greater part of our first tour, the importance of covering a wide field in the time available made it necessary for us at times to sit in two panels. When these met in the same centre, one panel dealt with railway witnesses. In the Madras Presidency the panel system was employed to enable us to visit more areas than would otherwise have been possible.

The Evidence.

Our request for written memoranda met with a liberal response. In all 490 such memoranda were submitted. These represent an immense amount of thought and labour on the part of all concerned and in many cases a large amount of expense, generously borne. Governments, associations of employers and employed, officials and other experts and private individuals have all endeavoured to furnish for our assistance the results of their experience in the best form available. The oral evidence, to which 837 persons contributed by appearing before us, has

been supplied with equal generosity, and a number of witnesses placed us further in their debt by furnishing supplementary statements at a later date. In some cases we have had to comment on the lack of information which we would have liked to obtain, but this lack is due almost entirely to such information not being available in any form, and not to any reluctance to give it to us. We are conscious that exigencies of time and space have prevented us from making the fullest use of all the material supplied. But, whatever the value of our Report, the volumes of evidence which accompany it constitute a source which, for years to come, should yield a wealth of information, not available elsewhere, for the study of labour questions.

No trouble was spared by all concerned to facilitate our enquiries, and to assist us in our tours. We would acknowledge especially the generous hospitality with which we were everywhere received, and the facilities and ready help given to us in our inspections. Our thanks are also due to the Secretary of State for the Colonies, the Ceylon Government, the Ceylon Association in London and the Planters' Association of Ceylon for their valuable help : and to the Director of the International Labour Office, who placed the resources of that office at our disposal, and readily responded to our requests for information. We would thank all responsible for the accommodation freely placed at our disposal for our work in India, and the High Commissioner for India, who permitted us to use the new India House for our meetings in London.

Arrangement of the Report.

The Report falls into six main divisions. Conditions of employment and work in the factory industries are discussed first (Chapters II to VII). Four chapters follow on similar questions in relation to mines, railways and other forms of industrial activity (Chapters VIII to XI). This completes the review of working conditions in industry, and we pass to the standard of life of the industrial worker (Chapters XII to XV). The next group of chapters is devoted to general questions related mainly to the industrial worker, namely, workmen's compensation, trade unions and trade disputes (Chapters XVI to XVIII). We then turn to the plantations and deal in four chapters with the work and life of plantation workers (Chapters XIX to XXII). After discussing certain special questions relating to Burma, we deal in turn with statistics, general administration and the constitution in relation to labour (Chapters XXIII to XXV).

The Survey of Conditions.

The Report attempts throughout to fulfil the dual task laid upon us of reporting on existing conditions and of making recommendations. We have come to our work from very different fields of experience. This has been most valuable in ensuring that every question is seen from several differing angles, but it has made it no simple task to present a common picture. While each of us, writing individually, might have placed the emphasis differently in some places, we have tried in our survey to express collective views, and have, we hope, succeeded in

moulding our individual appreciations of the position into a consistent whole. Every one who has any familiarity with India realises the danger of generalisations regarding so vast a country. Yet it is impossible to prepare a survey in reasonable compass without generalisations. While, therefore, we have endeavoured to obtain as literal accuracy as possible, it is necessary to bear in mind that it would be possible to adduce some exception to a number of the general statements made. In a few cases, we are aware of isolated employers, small groups of workers or even minor industries to which such statements are inapplicable. We believe, however, that such generalisations as are made are accurate in the sense that the exceptions are not of sufficient importance to affect our conclusions.

The Recommendations.

We are writing at a time when circumstances, both economic and political, are exceptional. In the economic sphere India, in common with many other countries, is facing a period of stress. Indian industry is involved in the general depression, and many of the industries with which we are concerned are facing serious difficulties which, we hope, will soon be surmounted. With orderly progress in India, her industry should have a great future. But the present position is one of anxiety for industrialists, for many workers and for all concerned in Government. We have considered the extent to which we should allow our recommendations to be influenced by the events of the last year, and have concluded that it would be wrong for us to give these any large influence. India has the right to expect from us, not a series of recommendations framed in the light of the existing crisis, but a considered programme for the development of labour policy. As a matter of fact nearly all our evidence relates to conditions in 1929 or early 1930, before the present crisis developed. Our survey, therefore, is a survey of conditions as they then stood and, for the most part, our recommendations are framed with reference to circumstances as they then existed. If the execution of some of the changes we advocate is made more difficult by reason of the present position, others are thereby rendered more easy to introduce. Some recommendations involve no expense, others call for financial outlay ; but, as a whole, they are calculated to secure increased prosperity. It is sometimes assumed that good conditions for labour involve a sacrifice for industry. But, in the experience of India, there is abundant evidence to show that a generous policy in respect of labour is a wise policy in respect of industry. It is not possible for India to secure a permanent advance for her industries at the expense of her labour, and we are confident that this is far from her desire. In the views submitted to us, the suggestion that cheap labour is a national asset was seldom made. On the contrary, there is widespread recognition of the fact that industrial activity finds its strength and much of its justification in the prosperity of all who contribute to it. We have attempted to exercise as much foresight as we can, and we believe that the principles underlying our recommendations are likely to abide ; but we have not attempted to anticipate the problems and difficulties of a future generation.

The Political Outlook.

The present time is not less exceptional in the political sphere. Our work in India has been carried on when political issues have loomed large, and, as we write, great constitutional changes are being considered. We are happy to record the fact that political controversies have not prevented many who hold widely differing views in politics from co-operating with us for the benefit of labour ; and we have been able to frame the great majority of our recommendations without reference to possible changes in the constitution. The needs of labour are evident, and the methods we recommend for meeting those needs are largely independent of the nature of the government of the country. " The nation in every country dwells in the cottage ", and the well-being of the people must be the primary concern of any government, whatever its form and composition. Our experience gives us the hope that in the India of the future the welfare of the workers will receive an increasing measure of wise thought and of generous action on the part of all who can influence their lives.

Diwan Chaman Lall desires to add that opinions must differ regarding the conclusions to be drawn from the evidence and he regards the recommendations as the minimum which should be enforced without delay.

CHAPTER II.—MIGRATION AND THE FACTORY WORKER.

(1) DISTRIBUTION OF FACTORIES.

We consider in this and the three following chapters the labour employed in what may be described as perennial factories, *i.e.*, we exclude from consideration at present all the factories which, dealing mainly with agricultural products in the raw state, work for part of the year only and we also exclude all those establishments which either use no mechanical power or, using power, employ less than 20 persons. Unfortunately the available statistics do not classify perennial and seasonal factories separately. They classify factories in groups according to their products, and while large groups of factories are entirely perennial and others entirely or predominantly seasonal, there are groups which include both seasonal and perennial factories. The figures for the perennial groups are as follows :—

Industries.	Factories.	Average daily number employed.
Cotton spinning and weaving	295	338,000
Jute spinning and weaving	95	347,000
Other textiles	68	11,000
Textiles	458	696,000
Engineering and Metal Works	871	315,000
Others (Non-textiles)	1,122	155,000
Total ..	2,451	1,166,000

The above figures and others given throughout this chapter relate to 1929 except when otherwise stated.

We give in Chapter VI some statistics of the predominantly seasonal and partially seasonal groups. Making an estimate of the number of factories included in these groups which are really perennial, we believe the number of perennial factory workers to be approximately a million and a quarter and the number of perennial factories to be in the neighbourhood of 3,500. Roughly speaking, then, the workers in the cotton spinning and weaving mills, the jute mills and the engineering

and metal works form three groups of about the same size, and number about a million in the aggregate, while the remaining perennial factories, which are scattered over a large number of industries, employ possibly a quarter of a million persons in all.

Cotton Textiles.

Since the middle of last century, Bombay, on account of its excellent shipping and railway facilities and business enterprise, has dominated the cotton textile industry. There are still about 118,000 workers in the mills of Bombay City and Island. The second centre of the industry is Ahmedabad, in Gujerat, with about 70,000 operatives; other centres in the Bombay Presidency include Sholapur, Surat, Broach and Jalgaon. The 203 cotton mills of the Presidency employ in all about 232,000 persons. The remaining 92 mills with about 106,000 operatives are distributed over many provinces and towns. Most important among these are Madras, Madura and Coimbatore in the Madras Presidency, Nagpur in the Central Provinces, Cawnpore in the United Provinces, and the vicinity of Calcutta. There has recently been a tendency for the industry to push into the smaller towns in the cotton-growing tracts. These have the advantage, not possessed by Bombay, of proximity to recruiting grounds for labour and to the markets for both the raw material and the manufactured article. Generally speaking, the industry has been expanding nearly everywhere except in Bombay, and the decline in employment in that city has been balanced by the expansion elsewhere, as the following figures show:—

Year.	Mills.	Operatives.
1892-93	120	113,000
1902-03	189	167,000
1912-13	241	244,000
1922	264	327,000
1923	271	324,000
1924	275	325,000
1925	281	332,000
1926	275	339,000
1927	280	343,000
1928	279	319,000
1929	295	338,000

There has also been an expansion in Indian States, which are not included in any of the figures given above. The industry is largely in Indian hands. In Bombay, Parsees, who were responsible for its initiation, and Gujerati Hindus have the biggest interests and the latter class control nearly all the mills in Ahmedabad. Europeans control some mills in both these centres and they and Hindus of various provinces are responsible for most of the mills in the smaller centres. Musalmans control some mills in Bombay, but few, if any, elsewhere. A considerable number of Englishmen, drawn mainly from Lancashire, are employed in the mills as managers

or heads of departments throughout the industry; but there are now many mills where the whole of the managing staff is Indian.

Jute Mills.

The jute textile industry, which employs about the same number of persons as the cotton textile industry, presents several points of contrast. In the first place, it is practically confined to a single locality. Excluding four mills in the Madras Presidency, where a fibre differing from the true jute is grown, and one in Bihar, the jute mills of India all lie in a small strip of country about 60 miles long and 2 miles broad, along both banks of the Hooghly above and below Calcutta. In the second place, the industry has a big advantage in that India has a virtual monopoly of the raw product. In the third place, the direction as well as the management is almost entirely in European hands. Finally the jute mill is usually on a much bigger scale than the cotton mill: the average number of operatives employed in a single mill is three times as great as in the latter case. The following figures show the development of the industry in recent years :—

Year.	Mills.	Operatives
1892-93	26	66,000
1902-03	38	119,000
1912	63	201,000
1922	85	320,000
1923	88	327,000
1924	90	339,000
1925	88	342,000
1926	91	333,000
1927	90	332,000
1928	91	339,000
1929	95	347,000

Engineering and Metals.

The group which we have designated " Engineering and Metals " comprises a number of factories of different types. The most important class consists of the railway workshops, which number 145 and employ 136,000 persons. New rolling stock is made in a number of the principal workshops, but the bulk of the work consists of the maintenance and repair of the running stock. Hitherto the bigger shops have generally been located in or near the centres of provinces, *e.g.*, at Moghalpura near Lahore, Lillooah near Calcutta, Matunga and Parel in Bombay Island, Perambur near Madras, and Lucknow. But some, such as Khargpur and Kanchrapara, are in towns which depend almost entirely upon them, and the recently built shops at Trichinopoly (Golden Rock) and Dohad are away from other industries. About half the workshops are managed by the State, which is thus responsible for over 78,000 railway workshop employees. Apart from these, there are a number of general engineering shops of

some importance, particularly in the Calcutta neighbourhood. Electrical engineering and generating works are steadily expanding. Other engineering shops are maintained for the upkeep of tramways, telegraphs, motor transport and shipping. Of establishments dealing with metals, by far the most important is the Tata Iron and Steel Company's works at Jamshedpur, in the Singhbhum district of Bihar and Orissa, about 200 miles west of Calcutta. This was established as recently as 1907 on a site practically uninhabited before that date and far from any town of importance. It has now a large, complex and well-equipped plant, and employs about 28,000 persons, of whom about two-thirds work in the main factory. In association with several smaller factories of an allied character, it has built up a township of 100,000 inhabitants. Other metal works of some importance are maintained by the Army Department and include the Metal and Steel Factory and the Rifle Factory at Ishapore, north of Calcutta; and there is one large iron and steel works in the Bengal coalfield. The manufacture of the ubiquitous kerosene tin employs an increasing number of persons in, or near, the three Presidency towns, and iron foundries, generally on a small scale, are fairly widely distributed. The other metal-working factories are of a very miscellaneous kind and few of them employ substantial numbers of workers.

Other Factories.

The remaining factories cover a wide and constantly increasing range of industries scattered over the whole of India, but naturally concentrated chiefly in the larger towns. The large-scale factories include paper mills (mainly in Bengal and Bombay), cigarette factories (especially in Bihar and Bangalore), petroleum refineries (in Burma), woollen mills (in Bombay, Cawnpore and the Punjab) and a few tanneries (in Cawnpore and Madras). The most important single industry in this group is the printing industry, which employs 38,000 persons in 360 presses. This excludes a great number of very small establishments working hand-presses. Match factories, with 16,000 operatives, are widely scattered, and there are about 17,000 persons employed in saw-mills, mainly in Burma. But the great majority of the factories in this group are small establishments employing less than 50 persons. These were not subject to the Factories Act before 1922.

Main Centres.

When the distribution of perennial factories is examined by centres, the most striking feature is the predominance of the Hooghly area surrounding Calcutta. In the city and the three districts next to it (24 Parganas, Howrah and Hooghly), the factory population is well over 450,000. Bombay City and Island (with the Bombay Suburban District), which has the next biggest concentration of industry, has about 190,000, so that these two small areas account for more than half the operatives. With the exception of Ahmedabad, which is virtually limited to a single industry and has a little over 70,000 operatives, there is no centre with as many as 30,000 permanent factory workers. Of the secondary

centres with a definite concentration of industries, the more important are Madras, Cawnpore, Jamshedpur and Rangoon. Many of the remaining factories are concentrated in capitals where the factory population is a small part of the total population, such as Delhi, Lahore, Lucknow and Nagpur. Centres of this type have generally a few larger factories, and a considerable number of small ones which serve the miscellaneous needs of the city and its vicinity. Apart from such centres, the only approach to a concentration of factories is in the main coalfields and in a few cotton mill towns such as Sholapur.

(2) SOURCES OF LABOUR.

Centres Recruiting from Short Distances.

The smaller centres everywhere draw on the surrounding rural areas for all the workers they require, except labour demanding special skill. As industry expands in a centre, the area of recruitment has to be enlarged. If the centre is situated in a region where population is dense and pressure on the land is great, a large addition to the labour force may be obtained without going far afield ; this is illustrated by Ahmedabad and Cawnpore. The cotton mills of Ahmedabad draw 65% of their labour from Ahmedabad district and the adjacent State of Baroda, while most of the remainder come from areas not far distant, *i.e.*, other Gujerat districts and the adjoining parts of Rajputana and Kathiawar. Cawnpore has close to it areas where the pressure of population is severe, and the bulk of its labour comes from the adjoining districts and those immediately beyond them. Railway workshops frequently show a greater variety of labour and may include substantial numbers from more distant areas ; the grant to employees of travelling concessions increases the attraction of the work for labour from a distance, and the type of work does not appeal to the people resident in some areas. In every centre of importance a certain number of the factory workers come from long distances ; men from Madras and the United Provinces may be found in factories all over India.

Centres Recruiting from Long Distances.

The only centres which have reached the stage of being compelled to go far afield for the bulk of their labour are Rangoon, Jamshedpur and the two big centres, Bombay and the Hooghly area. Rangoon, like Burma generally, has to look mainly to Indian labour for the maintenance of its industries as the Burman shows little desire to enter the lower ranks of factory employment. The factories of Rangoon therefore rely on the great stream of migration from across the Bay of Bengal ; the workers come chiefly from the Telugu speaking tracts adjoining the northern Madras ports. Jamshedpur was established in an area that was practically virgin forest and required a large number of workers from the start ; there was a big expansion of work during and after the war, which demanded a further rapid increase in numbers. It is not surprising, therefore, that the labour force here should include sections from nearly every province of India ; in particular, Bengal, Bihar and

Orissa, the Central Provinces, the United Provinces and Madras all contribute large quotas.

The two leading areas, Bombay and the Hooghly, found it necessary, at a very early stage of their industrial history, to recruit from distant fields. Bombay Island has the sea on one side and a narrow coastal plain flanked by high mountains on the other, and no large expansion of industry would have been possible had it remained dependent on the immediate neighbourhood. It now draws its factory labour mainly from two sources—by sea from Ratnagiri, a district to the south where pressure on the land is very great, and by land from the Deccan districts, especially Ahmednagar, Poona and Sholapur. The increasing needs of industry and the drying up of other sources, owing to the growth of local industries, have lately strengthened the flow of labour from much more distant areas, particularly the United Provinces.

The Hooghly, with more than double the demand of Bombay for factory labour, is surrounded by the heavily populated districts of Bengal, but does not draw the bulk of its factory workers from them. The Bengalis have less inclination for factory work than other Indian races; when the industries of the Hooghly were being built up, their economic position was not such as to make the terms offered by industry attractive. In recent years they, more than most Indian peoples, have been realising the possibilities which industry offers to skill, and their numbers are increasing steadily in the skilled ranks and in the lighter types of factory labour; but in the jute mills they constitute less than a quarter of the workers. A few mills to the south of Calcutta employ Bengali labour; but to the north of the city in most of the mills the proportion of Bengalis is small, and there are large townships of immigrants. The bulk of the jute mill labour comes from the west of Bihar and the east of the United Provinces, a tract lying from 300 to 500 miles away. Other important recruiting grounds are the equally distant districts in the north of the Madras Presidency and the east of the Central Provinces, while Orissa, which supplies labour of many kinds to Calcutta and its neighbourhood, is also represented in the factories. Of the jute mills it may be said that, if a circle of 250 miles' radius be drawn round Calcutta, the great majority of the workers come from outside that circle; and in the other factories too, a large proportion of the labour is drawn from these outer tracts.

(3) THE FACTORIES AND THE VILLAGES.

Temporary Migration.

We have referred to factory labour as drawn from rural areas and, as often as not, from areas at long distances from the factories. This is the case even when the factories are situated in or close to a great city. It is here that we strike perhaps the most fundamental difference between the Indian factory workers and the corresponding class in the West. The latter is drawn mainly from persons brought up in the towns, and partly from those who have abandoned the country for the towns. The Indian factory operatives are nearly all migrants. But the difference does

not end here. In India the migration from the rural areas to the factories is not in the main a permanent exodus ; it is, in the minds of those who undertake it and to a large extent in fact, a temporary transfer, and the recruit to industry continues to regard as his home the place from which he has come. A true understanding of this position is a necessary approach to nearly all the problems affecting this type of labour, and we must go on to examine in greater detail the character of the contact between the village and the factory.

The Factory Worker not an Agriculturalist.

Those anxious to emphasise the importance of this phenomenon are apt to suggest that the Indian factory worker is essentially an agriculturalist, and the student unfamiliar with the facts is led to picture the main industries of India as manned by a mass of agricultural workers, temporarily forsaking the mattock and the plough to add to their income by a brief spell of industrial work in the city. It would not be unfair to say that this picture is in the minds of some employers, whose attention is focussed on the rapidity with which their own labour force changes. But it is not an accurate representation of the position, and has been responsible occasionally for a mistaken attitude to labour questions. In the seasonal industries, dealing largely with the treatment of agricultural products in the raw state after they have been harvested, there is an intimate connection between industrial and agricultural work ; and in the collieries too there is a substantial class directly interested in agriculture. But in the regular factory industries which offer permanent work, the employer has generally got past the stage of being compelled to employ those who are prepared to work only for a few months of the year.

Connection with Agriculture.

The truth behind the assertion of the agricultural character of the factory population—and it is a truth of primary importance—is that the great majority of those employed are at heart villagers ; they have had in most cases a village upbringing, they have village traditions and they retain some contact with the villages. This does not necessarily mean even that they are all drawn from agricultural classes. There are in the villages important sections of the population whose occupation is not primarily agricultural and may not be agricultural at all ; the weaving sheds of textile factories, the tanneries, the railway workshops and other scenes of urban industry contain many who look back rather to village crafts than to village fields. But agriculture has naturally supplied the bulk of the recently established industrial population. Some factory workers, but far fewer than is frequently supposed, may have a direct interest in agriculture, in that they derive some pecuniary benefit from it ; more have indirect interests, in that members of that very variable group, the joint family, or other close relations have agricultural holdings. A larger number still have a home and members of their own family in the village and the latter may secure an income from agricultural work. Occasionally members of the same family relieve each other by turns in

factory employment. Even where workers live with their families in the factory areas, many of them look to some village as their home and do their best to retain contact with it.

Permanent Factory Population.

The residue, who have no village ties and look upon the city as their home, are only a small percentage of the total labour force. In the most industrialised areas such as the Hooghly area and Bombay Island, this class forms a small proportion of the factory employees. It is proportionately most numerous in such centres as Ahmedabad, Nagpur and Madras. Each of these cities has, in its cotton mills particularly, an appreciable number of employees who form part of the permanent urban population. It is worth noting that these are composed largely of classes whose interest in the land was always slight or precarious, namely, Musalman weavers in Ahmedabad, and members of the depressed classes in all three centres. In the last two centres the owners of the most important mills have made special efforts calculated to build up a permanent population. Statistics of this permanent element are not available; but it has been estimated as constituting in Ahmedabad 20 per cent of the working class population. Elsewhere the figure is generally much smaller.

Relations with the Country.

The points we desire to emphasise at this stage are :—

(1) on the one hand, the factory population, generally speaking, is not divorced from the land, as in the West;

(2) on the other hand, it cannot be regarded as composed of a mass of agriculturalists serving a short term in industry.

The relation of the workers to the villages is perhaps best expressed by the legal conception of domicile. In so far as an analogy is helpful, the position of many Englishmen in India has essential similarities. For the Indian factory worker is in most cases a man who has taken up definite work in a place which he does not regard as his own (in many cases even its language is foreign to him), who cherishes the hope of returning to his country now and then and of retiring there ultimately. He is as a rule prepared to abandon the factory if work offering adequate opportunities becomes available in his native place or if the climate makes serious inroads on his health. The popular and, as we believe, misleading conception of the short-term recruit from agriculture has arisen mainly from experience of the past, which is no longer valid. It is kept alive partly by the fact that a number of new recruits revert quickly to the village, and partly by the fact that the continuous period spent by the average worker in an individual establishment is brief.

Contact with the Village.

What, then, is the nature of the contact between the factories and the villages? It will be obvious from the preceding paragraphs that it is a variable quantity; with some the contact is close and constant, with others it is slender or spasmodic, and with a few it is more an

inspiration than a reality. But in most cases the contact has begun at birth; the proportion of industrial workers whose birthplace is the city is small. Many workers leave their wives in the country, and of those wives who come to the city, all who can do so return to the village for their confinement. The steady expansion of Indian industry year by year and the higher mortality in cities increase still further the numbers that have to be supplied from rural areas. Generally, too, childhood is spent in the villages; the raising of the minimum age for industrial employment has strengthened this tendency. After industrial employment has commenced, the worker returns to the village as often as he can. Financial considerations form the principal obstacle to frequent returns: the man who succeeds in the mills returns more regularly as his income rises. In the Bengal jute mills and the Bombay cotton mills, a number secure an annual holiday of anything from one to three months' duration: others may go every second year. Yet others, owing to lack of money or for various reasons, may not go back for many years. But at any time illness or urgent family affairs may compel a return, even when it has to be financed by borrowing. The returned industrial worker may give assistance in agricultural operations, or he may prefer to remain unoccupied. It is interesting to note, for example, that the holiday exodus from the Bengal jute mills is at its height during a slack season for agriculture in the workers' villages. The duration of the holiday is usually limited only by the money available; more rarely it is determined by the necessity of complying with the instructions of the employer in the city. At other times, if close relatives remain in the villages, remittances may be sent regularly to them and serve to maintain contact, but apart from these, correspondence is usually infrequent. Nor are relatives the only ones who look for money orders. The village money-lender may have claims which have to be met, and occasionally his assistance is sought to meet the initial expenses involved in the exodus to the city. Finally, the worker looks forward to a time when his work in the factory will be over, and he can return to the village for good.

(4) CAUSES OF MIGRATION.

Economic Pressure.

Emigration has always arisen mainly from the difficulty of finding an adequate livelihood in one's native place, and this is the predominant force which impels the Indian villager to seek industrial employment. Over large parts of India, the number of persons on the land is much greater than the number required to cultivate it and appreciably in excess of the number it can comfortably support. In most areas, pressure on the land has been increasing steadily for a long time and a rise in the general standard of living has made this pressure more acutely felt. There has always been a substantial class of landless labourers, earning a meagre living in good seasons and apt to be reduced to penury in bad ones. The loss of land through indebtedness, the need or desire of a landlord to increase his own cultivation, quarrels, the death of the title-holder and other causes, bring fresh recruits to this class. Among those who

retain tenancies, various changes may operate to render a holding insufficient for those dependent on it. An increase in the number of members of the family, a rise in rent, the growth of debt, all contribute to force the agricultural worker to abandon his ancestral occupation.

Moreover, there are always large areas where the soil can produce enough for the people in the ordinary year, but where periodic drought or floods make living precarious. A generation ago there was, in some of these areas, no alternative to facing the penury of the lean years; but the opening up of the country by the improvement of communications has offered a way of escape. Migration has, in fact, been dependent upon opportunity. It is noteworthy, for example, that where a connection was established between a factory and a particular village or group of villages, recruits would continue to come from these, while adjacent areas yielded none. Some of the minor currents in the streams of migration owe their force to little more than accident.

Village Crafts.

It must not be supposed that the economic pressure which drives the villager to the city is confined to those engaged in agriculture. The village craftsman, working formerly within an isolated economic unit, finds himself, by the improvement of communications and the growth of industry, subjected to competition from the larger world. The textile mills have many weavers drawn from families that, for generations previously, worked at handlooms ; the village worker in hides and leather, the carpenter and the blacksmith are all being subjected to pressure from the factory. In many cases the easiest, perhaps the only, way out of the difficulty is for the village craftsman to transfer his allegiance to the rival which is supplanting him.

Disabilities.

Poverty, though it is the most important, is not the only disability which drives the villager to the factory. All over India there are strata of the population who suffer from serious social disabilities ; the lower castes and those who are regarded as outside the pale of Hindu society find that in the industrial areas caste disabilities lose much of their force. With the growing realisation of the humiliation of their position and of the freedom which industry offers, there is an increasing readiness to migrate to industrial centres. In addition to the bondage which caste may inflict, there are other bonds which, if they were not consciously felt to be hardships a generation ago, are steadily becoming more irksome to those subjected to them. There are traces of feudalism to be found in many parts of the country ; and in a few areas there is still a system of bond-service which is not far removed from slavery. We deal with this factor in a later chapter for, although it is responsible for some migration, that migration is not, as a rule, to the factories. But it is obvious that every disability to which men are subjected in the village adds attractions to the avenues of escape which industry offers. In addition to those who migrate to escape from destitution or disabilities, there are

those who, for individual reasons, find it better to leave the village, for a time at any rate. The new world of industry offers a refuge to those who are anxious to escape from family conditions that have become intolerable, or from the penalties of the law, or from the more severe penalties with which the village visits offences against its social and moral codes.

Causes of Retention of Village Connection.

These causes serve to explain the move from the village to the factory, and by applying them to conditions in different rural areas it is easy to account for the main streams of migration. But they do not explain the most striking element in this migration, which is the retention of the village connection. The reasons for this feature are complex and raise psychological issues. But, in our opinion, the chief cause is to be found in the fact that the driving force in migration comes almost entirely from one end of the channel, *i.e.*, the village end. The industrial recruit is not prompted by the lure of city life or by any great ambition. The city, as such, has no attraction for him and, when he leaves the village, he has seldom an ambition beyond that of securing the necessities of life. Few industrial workers would remain in industry if they could secure sufficient food and clothing in the village ; they are pushed, not pulled, to the city.

The Family and the Village.

A contributory cause is the joint family system which, by linking the emigrant to the village and even to its soil, serves to keep connections alive in many cases. Moreover, the comparative scarcity of employment for women and children in factories encourages the practice of leaving the family in the village, where their maintenance is more simple and less costly. In the perennial factories as a whole more than three-quarters of the workers are males over 15 years ; and the children form a small proportion of the remainder. On the other hand the village offers at least intermittent work for everyone, even for small children. Further, where migration has resulted less from the lack of land than from the precarious character of its yield, there are obvious economic advantages in retaining interests in it. Even where relatives have not been left in the village, the ties of generations are strong. To a large extent, Indian life is a community life and the more individualistic existence inseparable from a city is strange and unattractive to the villager.

Contrast of Environment.

Finally, an important cause of the desire of the factory workers to maintain village connections is to be found in the environment in which they must live while employed in the factories. We deal with this later and merely observe here that no one who is familiar both with village conditions and with the factory areas can be surprised that so few workers are ready to establish in the latter a permanent home. We do not desire to suggest that the village is always, or even generally, an idyllic place ; but the average factory worker, contrasting the scenes in which he has to live with his memories of his native place, must welcome

every opportunity of returning there and must cherish constantly the hope that, sooner or later, he can leave the city finally behind.

(5) EFFECTS OF MIGRATION.

A Strange Environment.

The effects of migration can be traced in nearly every phase of industrial life, and it will be necessary to refer to them in connection with various subjects. It is convenient here to give a brief analysis of the main results which migration produces, with a view to considering the attitude which should be taken towards it. The first fact to be noted is that the industrial worker is living in an environment which is strange to him, and the contrast between his original home and the scene of his work may be tremendous. We have already noted that some of the most important streams of migration cross language boundaries; many sections of factory workers form, as it were, foreign colonies, surrounded by a language and a culture largely alien to them. This alone would tend to give an artificial character to industrial life; the people have been uprooted and find themselves in a *milieu* of strange traditions, or no traditions at all. The customs and sanctions, good and bad alike, to which they have been accustomed are all weakened. The ties which give village life its corporate and organic character are loosened, new ties are not easily formed, and life tends to become more individual.

Dangers to Health.

The health of the worker who is transported to the new environment is often subjected to severe strain. In the first place, the climate to which he is accustomed may be radically different from that in which he has now to live. The untravelled villager is very sensitive to climatic changes; differences between one area and an adjacent one can be acutely felt by families that have known no change for centuries. The climatic differences between the Deccan plateau and the island of Bombay, or the United Provinces and the Bengal delta, are striking. At the same time as the change in climate is experienced, a change in diet has to be faced. We deal with the whole subject of diet and health in detail later, but it may be noted here that the change is not one from a diet suited to one climate to a diet suited to another. It is rather the reduction, under economic necessity, of valuable elements of diet, and it accentuates the effect of the change from the wide fields and fresh air of the village to the cramped and often insanitary streets and lanes of the town. The habits of the villager in respect of sanitation and other matters are not easily altered and are fraught with peril in his new surroundings. There are additional dangers from sickness and disease. These are enhanced by the fact that many men are living singly although most of them have been and are married. To such the life of the city brings with it new and insidious temptations. Alcohol offers its dangerous relief to a fatigued body and an over-stimulated mind while gambling has an attraction not previously experienced for many who have few healthy distractions open to them.

Change of Work.

In working hours the change is no less complete. The worker is surrounded by conditions which are entirely novel to him. He has been used to spasmodic work with long intervals of leisure, and he finds himself expected to work continuously and to order. Disciplined hours of toil are a strain to the body that is not accustomed to them, and they involve a corresponding strain on the mind which is apt to be underestimated. The difficulty and distress felt by most workers in accepting the discipline of factory work have important effects on their efficiency. The fact that they have not usually grown up in a familiarity with industry acts as a further handicap. The Western industrial workers owe not a little of their aptitude to being brought up with factory workers and in a factory area, even when they do not enter the factory at an early age.

Home-sickness.

All these factors tend, especially at first, to produce a state of depression, and when, as not infrequently happens, sickness supervenes, there is a strong inclination to return and endure the privations of the village rather than face the risks and hardships of the town. Among new recruits to industry there is a considerable percentage who are unwilling to face all that is involved in the change and find their way back to the village. And there must be many more who, in the early months, would yield to the impulse to return if circumstances allowed. But after the home-sickness of the first term is passed, the worker generally becomes more reconciled to the change and is ready to acquiesce in unsatisfactory conditions.

Turnover.

Finally, the constant changing of the labour force in individual establishments, which is associated with the present system, carries with it serious disadvantages, from the point of view both of the management and of the worker. It necessitates the continuous turnover of employees, many of whom may be entirely new to the particular factory and to its machines and methods of working, with a consequent loss of efficiency which reacts on both parties. It also places a serious obstacle in the way of establishing contact between employer and employed and of building up the sense of co-operation ; and the worker who returns after a spell in the village has, in most cases, no guarantee of re-employment on his return. In fact, as we show later, his position in this respect has been getting generally weaker in recent years. Too often he finds it necessary to purchase his re-admission to industrial work at a time when his reserves of cash have either disappeared or been seriously depleted.

Economic Advantages of Contact with Villages.

Such are some of the disadvantages accompanying the present system of migration. But there is another side to the picture, for the contact with the villages has big advantages. In the first place it means that most industrial workers have been brought up in more natural surroundings. They usually bring a better standard of physique than

could be built up in many industrial areas. The effect of this on the individual is sometimes obscured temporarily by the fact that the new recruit may have just passed through a period of privation, but the benefit of the early years remains and is an asset of incalculable value. The holidays which many are able to take are also a great source of strength of mind and body, and the combination of urban and rural life brings a width of outlook which is apt to be lacking in a purely urban population. Further, where contact is retained with the village, there is usually some kind of home to fall back upon should the need arise. The villages have hitherto provided a measure of insurance against the effects of the various changes which may reduce, interrupt or destroy the earning capacity of the worker. In sickness and in maternity, in strikes and lock-outs, in unemployment and in old age the village home is a refuge for many, and the fact that it exists affords a sense of security, even when it is not required. We should not be understood as endorsing the view occasionally expressed that the factory worker usually has an alternative occupation to which he can readily turn. This is not accurate ; but, for the worker who has village connections and is unable to work, the hardships caused by such inability are mitigated. The village is an infinitely better place than the city for the young and the aged, the sick, the maimed and the exhausted, the unemployed and the unemployable. If the villages provide insurance for the towns, the effect is to some extent reciprocal. One of the strong arguments for the development of industries in India is the insurance which it provides against the uncertainties of agriculture. If they are developed by a population connected with the rural areas, the benefits of this insurance are directly felt in the villages. When some of the members of a village community have a source of income independent of the produce of the village, there is a distinct gain to the community as a whole.

Educative Effects.

Nor are the benefits derived from migration entirely economic in character. The Royal Commission on Agriculture has observed that " the life of the city should quicken the minds and enlarge the outlook of a far greater number of labourers than it corrupts ". Our experience tends to show that migration has this effect. Further, this quickening of mind and enlargement of outlook are not limited, under the present system, to those who go to the cities. The industrial worker who, in his absence, has assisted the village by diminishing the pressure on its productive capacity and by adding to its income, brings to it on his return a new education. He helps to diffuse throughout the countryside not merely his knowledge of a wider world, but a conception of liberty and of independence that is new to village society. If the contact now maintained were diminished or cut off, the result would be the impoverishment of rural India of a more than material kind.

The Future.

All this leads up to a practical question of vital importance, namely, should efforts be directed towards building up an industrial popu-

lation divorced from the villages, or should the existing contact be maintained and stimulated ? This is a question which must be faced in any intelligent attempt to view the problems of Indian labour as a whole, and we were surprised to find how little attention it had received. It is true that no wholesale or sudden change in the existing system is practicable: whatever view is reached industry must depend for a long time on the villages and the tenacity with which many industrial workers, with little encouragement, have retained their village connections shows that the system has deep roots. But the nature and extent of the contact with the villages can be powerfully affected, both locally and generally, by different policies and it is of importance to have a clear aim. Our considered opinion is that, in present circumstances, the link with the village is a distinct asset and that the general aim should be, not to undermine it, but to encourage it and, as far as possible, to regularise it. We have not reached this conclusion without a clear recognition of the evils attendant on the industrial system as it stands to-day; but we believe that, by thoughtful and sustained effort, many of its defects can be eliminated or minimised and that the advantages of the village connection can be conserved and, indeed, increased. In special areas and for special purposes, the growth of a purely industrial population is inevitable. There are classes to whom the village can offer little, and a definite severing of the connection may be advantageous in the end. Further, if, as we hope, a substantial improvement is secured in the conditions prevailing in the factory areas, this is bound to encourage the growth of a definitely urban class of factory workers. It is arguable that the present conditions represent merely a transitional stage, which is bound to be replaced by conditions more resembling those of Western countries. But it is doubtful if it is legitimate to describe as transitional the connection with the villages, which has lasted so long and which, in the most important centres, certainly has not weakened in the last generation. Whatever view be taken of the distant future, we believe that, at the present stage, it is not advisable that this striking feature, which marked the beginnings of Indian industry and has shown such persistence during its steady advance, should be discouraged.

CHAPTER III.—THE EMPLOYMENT OF THE FACTORY WORKER.

This chapter deals with a number of questions related to the employment of the worker in perennial factories. Beginning with the relationship of the supply of labour to the demand, we discuss the recruitment of the worker and the control and supervision of his employment in the factory. Next comes his education, with special reference to his advancement and promotion, and in conclusion we refer to unemployment.

Supply of Labour.

Throughout the greater part of its history, organised industry in India has experienced a shortage of labour. A generation ago, this shortage was apt at times to become critical. Towards the end of the nineteenth century, after the plague epidemics, the difficulties of employers were acute, especially in Bombay ; and in 1905 the complaints of employers in Bengal and the United Provinces led to an official enquiry into the causes of the shortage. Thereafter the position became easier in the factory industries, but even in these, before the war, few employers were assured of adequate labour at all seasons of the year. Some industries, such as tea-planting, particularly in Assam, are still in constant need of more workers. Others, such as coal-mining, experience a distinct shortage at certain seasons. Perennial factories, on the other hand, have now reached a position in which most of them have sufficient labour at all seasons and there is a surplus of factory labour at several centres. The change has been gradual, and it has proceeded at a different pace in different centres. In some areas, the opening years of the war witnessed a change, but the influenza epidemic of 1918-19 exercised everywhere a retarding influence. Speaking generally, it would be true to say that the turning point came during the last five years. Up to that stage, labour tended to have the upper hand in that there was competition for its services ; since then the tendency has been for the workers to compete for jobs. The question of the supply of suitable labour is one of vital importance for the future of industry and of labour, and it is worth while considering whether or not the change is likely to be permanent.

Causes of Scarcity.

The scarcity of labour in the past can be traced to a number of factors. Of these the most obvious was the growth of Indian industry. To a large extent factories, mines and even railways are the creation of the last generation. They employed conjointly about half a million persons in 1892 and about two and a half million persons in 1929. Every year employers increased their demands, so that recruiting had to provide not merely for replacement, but also for an appreciable addition. The population, it is true, was increasing, but not at the same rate, and two great epidemics, those of plague in 1896-97 and of influenza in 1918-19, had marked effects on the industrial population. The factories, moreover, were able to draw only on limited areas.

Lack of adequate communications prevented an easy flow of labour, and lack of general contact with, or knowledge of, the cities was an even greater obstacle. In some areas recruiting was confined to a few villages where connections had been established, adjacent villages making no contribution. Finally, conditions in most centres were not calculated to attract labour or to retain it. As we have indicated, they are far from ideal to-day; but to the factory worker of the present time the conditions in which his father worked would seem intolerable.

Future Prospect.

Factory industry in India, as elsewhere in the world, is to-day less prosperous than it has been. We believe that the check to progress is temporary and that, given settled conditions, factory industry has still a long period of expansion before it. Communications have improved steadily and should advance much further. The spread of knowledge is opening up new ground for possible recruits, while there is at present little sign of a diminution in the pressure on the land. Lastly, and most important of all, conditions in factories are improving generally. We believe that the amelioration which has been effected since 1920, by legislative and other methods, has had a large share in producing the change which has occurred. If our analysis of the factors concerned is accurate, Indian factories are at the beginning of a period of plentiful labour. Grave calamities, such as a serious epidemic, might produce a temporary reversal of the position; but, in normal circumstances, there is little likelihood of a shortage of labour in the near future in perennial factories.

Effect on Labour.

It is difficult to exaggerate the importance of the change. In the past the employers' powers were strictly limited. The necessity of keeping their factories staffed has led some employers to do much for the welfare of labour, in the provision of housing and other benefits; it has also compelled them to tolerate much in the form of low efficiency and slack discipline. The new conditions, if maintained, will give to the employer a greater power, for good or for ill, than he has had in the past. At the same time they will deprive labour of what has hitherto been its main defence against oppression. While the employers will be able to insist on higher standards, the workers, if they are to maintain their position, will require to conform to these and to show more self-reliance and greater cohesion. Further, the new situation is bound to raise new problems for all concerned in questions of labour administration, and to demand the adoption of a new attitude and new methods.

Recruiting of Labour.

So far as recruiting is concerned, recent years have seen a great alteration. When the shortage was acute, the employer had to send into the highways and byways to obtain workers. Overseers, labour contractors and others, stimulated thereto by promises of commissions,

journeyed to distant villages and brought back recruits to the mills, paying their fares and expenses to the city. Such methods are still employed for many industries, particularly planting, mining, public works and some seasonal factory industries; but now the great majority of managers of perennial factories need go no further than their own gate to obtain the workers they require. Only in minor centres and in the starting of new mills is recourse to the older methods sometimes necessary. Contractors are still largely employed in some factory industries, particularly engineering and metal works, but these men are not contractors so much as subordinate employers, and most of them can also secure labour at the factory gate. Unfortunately the removal of the market for labour from the village to the factory gate has not generally meant the assumption by the employer of direct responsibility for the engagement of his own workers. This duty is still left largely to intermediaries, and especially to jobbers. This brings us to one of the most remarkable features of Indian factory organisation.

Position of the Jobber.

The jobber, known in different parts of India by different names, such as *sardar*, *mukaddam* or *maistry*, is almost ubiquitous in the Indian factory system and usually combines in one person a formidable series of functions. He is primarily a chargeman. Promoted from the ranks after full experience of the factory, he is responsible for the supervision of labour while at work. In a large factory, there may be a hierarchy of jobbers for this purpose, including women overseers in departments staffed by women. He has also, on many occasions, to act as assistant mechanic, and to help in keeping the machines in running order. So far as the worker is given technical training, the jobber is expected to provide it. He is not, however, merely responsible for the worker once he has obtained work; the worker has generally to approach him to secure a job and is nearly always dependent on him for the security of that job as well as for a transfer to a better one. Many jobbers follow the worker even further than the factory gate; they may finance him when he is in debt and he may even be dependent on them for his housing.

The Jobber as Intermediary.

As important as any of these functions is the duty which the jobbers perform in their capacity as intermediaries between employer and employee. It is to the jobbers that the employer generally goes when he wishes to notify a change to the workers; it is from the jobbers that he derives most of his information regarding their needs and desires. When a manager states that he informed the workers of a change in conditions, or that he was told by them that they desired a change, he too often means that he conveyed the news (possibly through a subordinate) to the jobbers, or that the jobbers alleged that the workers had a grievance. The same applies to orders affecting individual workers, and to their complaints. The jobber thus adds to

his other functions some of those frequently discharged by trade union officials in the West, and he is occasionally found acting in the capacity of a strike leader. We shall have occasion later to discuss the absence of direct contact between employer and employed, which is a marked feature in many factories, and merely note here that too often those responsible for management are unable to make themselves adequately understood by the workers, and in consequence have to rely on the jobbers as interpreters.

The Jobber and Bribery.

The temptations of the jobbers' position are manifold, and it would be surprising if these men failed to take advantage of their opportunities. There are few factories where a worker's security is not, to some extent, in the hands of a jobber; in a number of factories the latter has in practice the power to engage and to dismiss a worker. We were satisfied that it is a fairly general practice for the jobber to profit financially by the exercise of this power. The evil varies in intensity from industry to industry and from centre to centre. It is usual for a fee to be exacted as the price of engagement, or of re-employment after a period of absence. In many cases a smaller regular payment has also to be made out of each month's wages. In other cases workers have to supply the jobber with drink or other periodical offerings in kind. The jobber himself has at times to subsidise the head jobber; and it is said that even members of the supervising staff sometimes receive a share of the bribe.

Origin of Bribery.

The general prevalence of the system was admitted by a number of employers and managers, but few had made serious endeavours to check it. Some appeared to be disposed to excuse themselves by the belief that the system was in some way natural to the country. True, the distinction between a gratuity and a bribe is not always clear, but not even those who thought the latter term too hard in this connection attempted to defend the system; it is actual extortion in many cases, and it is impossible to regard it as other than a vicious practice. We are disposed to ascribe the evil to the grant to uneducated and uncontrolled persons of power to make appointments and dismissals. If labour becomes more plentiful, it is certain that the evil will attain even larger dimensions than at present unless special efforts are made to check it.

Labour Officers.

We believe that, by systematic effort, bribery can be substantially reduced, if not eliminated, with great benefit to all concerned. The present power of the jobber is given by the employer, who permits him to select or engage labour and to influence or procure its dismissal. We advocate for all factories the exclusion of the jobber from the engagement and dismissal of labour. This can best be achieved by the employment of a labour officer, and this is the course we recommend wherever the scale

of the factory permits it. He should be subordinate to no one except the general manager of the factory, and should be carefully selected. Special technical qualifications are not essential for the appointment, though a general knowledge of the processes is necessary. Integrity, personality, energy, the gift of understanding individuals and linguistic facility are the main qualities required. No employee should be engaged except by the labour officer personally, in consultation with departmental heads, and none should be dismissed without his consent, except by the manager himself, after hearing what the labour officer has to say. It should be the business of the labour officer to ensure that no employee is discharged without adequate cause; if he is of the right type, the workers will rapidly learn to place confidence in him and to regard him as their friend. There are many other duties which such an officer can fulfil, particularly in respect of welfare; we propose to indicate some of these in connection with other subjects.

Control over Appointments and Dismissals.

The system here recommended has already been tried in a few Indian factories and big industrial enterprises, and, where the right type of officer has been employed, it has generally met with conspicuous success. In one case, however, the attempt to introduce it was defeated by the workers themselves. The account of this attempt furnished to us by the employers leaves no doubt that the jobbers were responsible for the workers' opposition; and no doubt in many cases it will be extremely difficult to defeat the jobbers' machinations. Were it not for this difficulty and the fear of trouble, more persistent endeavours in this direction would doubtless have been made by many employers. Associations of employers could with advantage consider and determine upon a common policy in an attempt to stamp out bribery. We are satisfied, however, as are the employers who made the experiment referred to, that the method is bound to be of material and permanent benefit to labour, once the initial difficulty has been overcome. Where a union is in existence, its co-operation should be sought and should generally be available, but in some cases the jobbers' influence is potent even within the union. Where it is not possible to employ a whole-time labour officer, the manager or some responsible officer should retain complete control of engagements and dismissals. This, of course, is only possible where the controlling officers are prepared to keep the same hours as the workers—a requirement which is not the invariable rule in one big industrial centre.

The Supervision of Women.

The supervision of women presents special difficulties. When undertaken, as is generally the case, by male jobbers, it leads to serious abuses and has resulted in representations to the Commission. Where women workers are numerous, they are often under the charge of other women, known commonly as *naikins* or *mukaddamin*. This system reduces, but does not always eliminate, the greater evils arising from male supervision. Too often, however, the *naikin* has the rapacity

of the jobber with even more submissive material on which to exercise it. We recommend that, where women are engaged in substantial numbers, there should invariably be employed at least one educated woman in charge of their welfare and supervision throughout the factory. She should be responsible to the labour officer, where there is one, and to the manager where there is not, for the engagement and dismissal of all the female staff, whether permanent or temporary. If *naikins* are employed they should be under her immediate control. It is important that she should be remunerated on a salary and not on a commission basis, and on a scale likely to attract the right type of woman for work of such responsibility. We found this system in force in one or two large Indian factories with excellent results.

Turnover.

There is another direction in which action can be taken to diminish the jobber's power, and our recommendation here should lead to other important results. At present the figures of turnover in many Indian factories are remarkable. In a large number of factories the fresh employees engaged each month are at least 5% of the establishment, so that, in a period of less than 2 years, the fresh engagements exceed in number the total labour force. It is this feature which leads so many employers to suppose that the average factory worker is an agriculturalist devoting a short period of his life to industry. Actually most of the workers who are taken on as "fresh hands" have been previously employed in the same centre and often in the same mill. In few factories is there a serious attempt to register workers and to maintain touch with those who leave for holidays or are otherwise absent We met widespread complaints of "absenteeism", but this is an omnibus term covering absence from many causes. There are few managers who can say precisely which workers are away because they are idling, which are kept away by sickness, and which have gone on holiday meaning to return. Even workers who have left, with no intention of returning, may be treated for a time as absentees.

Holidays.

Where the jobbers are in the habit of exacting a bribe on all fresh engagements, it is to their interest to secure that such engagements are numerous. As some employers pointed out to us, there is a close connection between bribery and turnover, and we believe that the jobbers are responsible for much of the apparent restlessness of the operative, and his movements from factory to factory. Further, as few mills are willing to recognise a worker on his return from a holiday as an old employee, there is no reason why he should feel any loyalty to a particular mill. We consider that employers generally should recognise the need and the value of the holidays taken by so many workers. We recommend that workers should be encouraged to apply for definite periods of leave, and should go with a promise that on their return at the proper time they will be able to resume their old work. The mere grant of regular leave, even when no allowance is attached to it, would mark a great advance on the

present system. It would give the worker an increased sense of security and of attachment to a particular factory, and greater efficiency would follow.

Holiday Allowances.

At the same time we urge that, wherever possible, an allowance should be given to the worker who goes on leave after approved service. The value of holidays in maintaining and increasing efficiency is undoubted ; and few workers need these holidays so much as those employed in Indian factories. The recognition of the claim of the worker to some allowance for a specified period while on recognised leave would have a distinct influence in converting the labour force of a factory from a constantly changing and unsettled mass to a regular and contented group of workers. The effects on discipline and efficiency would be marked, and sickness and absenteeism would be greatly reduced. Most Government factories give such allowances ; in some cases workers in such factories are eligible for leave with pay on a scale which must be superior to that enjoyed by any other industrial workers in the world. We do not suggest that private employers should or could attempt to emulate the practice. The scale of allowance is of less importance than the recognition of the leave of absence. It is noteworthy that Government factories are generally able to attract a settled labour force, even where leave allowances are far from liberal or virtually lacking ; the attraction is the greater security of tenure, and this is largely dependent on the fact that a Government factory worker can generally go on a period of absence, if he needs it, with a guarantee of re-employment on his return.

Lack of Education.

To some extent, the prevalence of bribery is attributable to lack of education among the workers ; indeed many more troubles arise from this cause. In India nearly the whole mass of industrial labour is illiterate, a state of affairs which is unknown in any other country of industrial importance. It is almost impossible to overestimate the consequences of this disability, which are obvious in wages, in health, in productivity, in organisation and in several other directions. Modern machine industry depends in a peculiar degree on education, and the attempt to build it up with an illiterate body of workers must be difficult and perilous. We would emphasise the fact that, precisely because of this, the education of industrial labour should receive special attention.

Education of Half-timers.

Many employers have endeavoured to do something towards making good the deficiency by means of factory schools and a few of the schools we saw are admirable examples of their kind, and represent a big outlay in cost and thought. There is, however, a fairly general tendency to concentrate in such schools on the education of half-timers. We are anxious not to discourage any attempt to meet so obvious a need. But though useful work is done in some cases, the truth is that too often the results are incommensurate with the effort. A child is seldom capable of putting in 5 or 6 hours' work in a factory and learning

properly in a school after that work ends or before it begins. This is true of all children, but especially of those whose heredity and environment do not pre-dispose them to mental work. The half-timer, from his own point of view, is merely undertaking an extra task until the law permits him to earn a higher wage, by which time he is too often ready to forget what he has learned. A further factor which diminishes the value of concentrating on half-timers is that in some industries they are few or unknown, and in others their numbers are diminishing.

Education of Workers' Children.

We recognise that the education of the industrial population on a large scale must, to some extent, wait on developments in the bigger world outside industry, and that in any event the process must be gradual; but employers in many cases would be making a valuable contribution if they were prepared to develop the education of their workers' children in their factory schools. The non-working child is likely to get much more advantage from such education than the half-timer. The difficulty here is the economic pressure which tends to drive the child to work at an early age. But we believe that employers who, as some have already done, make the small outlay necessary to keep such children at school will be doing a real social service; moreover, they will probably reap the benefit later by introducing a better type of worker, thus paving the way for selected men to rise higher.

Assignment of Responsibility.

At the same time, the main responsibility for education in industrial areas cannot be thrown upon employers. In this, as in other matters, some employers have done admirable work in the attempt to remedy the deficiencies of the responsible authorities, and we believe that few would be unwilling to co-operate if definite and reasonable schemes were put before them. For example, the Indian Jute Mills Association, while emphasising the view that it was not the employers' duty to educate labour, expressed its readiness to co-operate with Government in the matter, if invited to do so. Without doubt the task is primarily one for the community, acting through local bodies and Government, and we would repeat, in the interests of Indian industry and labour, that the industrial areas have a special claim to attention. We recognise the difficulty created by the fact that most industrial workers spend their childhood in villages and not in cities; but there are many children in the industrial areas who will subsequently enter industry. There is a strong case for the preferential treatment of those areas in view of the economic results to be obtained. It is for the education authorities to take the lead, but the end in view justifies them in calling on employers' associations and individual employers to assist.

Application of Compulsion.

For rapid progress, the application of compulsion is desirable. We regretted to find that in some parts of India there was a tendency, in applying compulsory methods, for municipalities to exclude wards peopled by factory labour on the ground of the backwardness of the population.

The Bombay Municipality, on the other hand, has recently applied compulsion to two wards chiefly inhabited by millworkers, and we recommend to municipalities that wards of this type should be regarded as having a special claim where compulsion can be applied. We would also call attention to the desirability of bringing the upper age-limit for compulsory education at least up to 12 years, the minimum age for factory employment. The present system in Bombay, under which compulsory education stops at 11, involves the loss of a valuable year and jeopardises the results already achieved. We suggest that employers might assist, wherever possible, by lending buildings in the workers' lines or the factory compounds, by equipping schools and in other ways. Moreover the combination of the educational experience of the authorities and the practical wisdom of employers might lead to valuable improvements in the ordinary curricula.

Promotion of the Workman.

One advantage which education will bring to the industrial worker will be the opening of avenues of promotion at present closed to him. Ordinarily the jobber's post is the highest to which a workman can aspire. It has been customary to fill the ranks above the jobber in various ways, all of which involve the importation of men from outside, and India presents in this respect a contrast to nearly all industrial countries. The loss is great, both to industry and to the workers, who have none of the incentive given elsewhere by the possibility of securing the prizes of their calling. It is true that in every country (as in every profession) the prizes are few ; but their existence has a strong effect on the work of the many, and particularly in developing the qualities of the more ambitious men. The effect of the absence of prospects is especially marked on the jobbers. These men, selected from a large number of fellow-workmen, would in other countries form the recruiting ground for the higher subordinate ranks. The incentive of promotion would stimulate energy and integrity. The fact that the jobber has ordinarily no prospect of going further strengthens the temptation to take the fullest advantage of the position he has attained, and we believe that, if such a prospect (and the education necessary for it) existed, a different type of jobber would emerge. To industry the loss is as serious as to the worker. In other countries the constant selection and promotion of men from the ranks maintains the vigour of industry. As a rule the successful supervisor should know the workman's task, not by observation, but through intimate experience as a workman. A mere knowledge of the processes and machines is insufficient ; there must be that deeper, almost psychological, knowledge which evades definition, but which is born of sharing the mentality and the life of the operative. The deep cleavage between the ranks and the supervisory grades in Indian industry is a constant source of weakness.

Apprentices.

The lack of supervisors in India was at first made good in all industries by importing Europeans. In recent years the cost of the

European and the desire to Indianise industry have led to the substitution of Indians. This is proceeding successfully in important sections of industry, and especially in those concerned with engineering and metals. Only a few years ago, literate apprentices were practically unknown, except where Anglo-Indians were available. Schemes of apprenticeship have now been developed in ordnance factories, in most railway workshops, in the iron and steel works at Jamshedpur and in many other factories, and the results generally are distinctly good. The revolution in social ideas and intense economic pressure have combined to break down much of the prejudice against manual work among educated Indians, with the result that the ranks of industry are no longer regarded as suitable only for the illiterate. Simultaneously, the development of technical education has widened the opportunities that industry can offer to those who are willing to "take off their coats". So far as the industries to which we have referred are concerned, the solution of the problem of obtaining men for the higher ranks of labour would appear to be within sight: the advance of the younger generation should effect a great change.

Apprenticeship in the Textile Industries.

In other branches, and particularly in the textile industries, there has been less success in this direction. Here also there have been efforts to replace European supervision by Indian, but in a number of cases the method of recruiting and training has been faulty. The European brought out in the first instance to a subordinate supervisory post was a workman promoted from the ranks. A number of the Indians brought in to replace him have not had the same advantages. They have been appointed to act as supervisors without having previously shared the experience of the workmen; and there is no general endeavour to secure literates as workmen, with a view to their promotion or otherwise. We recommend that the textile industries should endeavour to secure apprentices with a preliminary education. We recognise that this may not be easy, but their recruitment would benefit industry and would mean the opening of fresh avenues of employment for a class whose needs are great.

Adult Education.

The necessity of securing a more educated labour force has turned the thoughts of some to the possibilities of adult education. Here again, a few employers who have been pioneers in welfare work have led the way, but the movement has not been generally adopted. We consider that all possible means should be taken to remedy the existing deficiencies in the matter of education, but the effort to give education to the adult illiterate factory worker is not likely to yield results of much value. The effort required from an adult in acquiring a primary education is generally greater than that required from a child. Further, the labour of the industrial worker consumes his energies so fully as to make it impossible for any but an exceptional man or woman to do anything requiring much mental effort after working hours. Something could be done by combining education with recreation, *e.g.*, by

the wider use of the cinematograph, but the efforts required to impart literacy to adult operatives working a full day would generally produce more valuable results if applied in other directions. If adults are to face the strain of education successfully, it must be given in hours that would otherwise be devoted to factory work, and this is out of the question for the mass of operatives.

The Education of Selected Operatives.

The provision of a simple form of education in working hours might, however, be worth while in the [illegible] of a few selected operatives in some industries. This would go far t[illegible]lve the difficulty of obtaining suitable men for the lower supervisory grades. The first necessity is time off with pay for promising men selected for the purpose. At least three afternoons a week might be given to education. But it will probably be necessary for employers to go a stage further by assisting to provide the education. The time-tables of the municipal schools will ordinarily be inconvenient for the operative, and in any case he cannot suitably be educated along with young children. Further, the supervision of the education by the employer will do something to secure that it is properly directed. Under his direction a little technical education could be added where necessary, but care must be taken to see that the school concentrates on general and not technical training. The facilities for obtaining practical experience are usually there ; it is the lack of general education which keeps the promising worker back. The case of the jute industry in Bengal offers a special opportunity in this direction by reason of its geographical concentration and of the excellent organisation of the employers. Here, too, the advantages of the proposal would be most easily tested in that the educated sardar would find his employment in the same district and frequently in the same group of mills. We recommend that the Indian Jute Mills Association should combine to maintain a part-time school for selected adult and adolescent operatives. Such a school would, we hope, secure a good Government grant, as it would have a strong claim to State assistance. On satisfactory completion of the course, the workman, if properly selected in the first instance, would be able to take a post as jobber or assistant jobber, and the avenue of further promotion would be open to him. The possibilities of similar co-operative action deserve examination by employers wherever there is a concentration of industry. While we have stressed the importance of general education, we do not desire to imply that technical education would not be of great assistance in some cases, and we suggest that employers' associations might consider the question of granting scholarships for technical education to selected men.

Industrial Unemployment.

We discuss in the remainder of this chapter the question of unemployment, with special reference to the factory worker. Two factors have hitherto operated to protect industrial workers against the dangers of long periods of idleness. In the first place the rate of

turnover, to which we have referred, involves the creation almost every month of a large number of vacancies, so that ordinarily the worker who is out of a job need not long remain unemployed. This constant turnover does not, of course, increase the total amount of employment. It has rather the opposite effect, for the fact that new workers can secure posts without much delay tends to attract to industry an unnecessarily large number of workers. If, as we have recommended, each factory endeavours to build up a more regular labour force, the result will be to deter workers who are superfluous from entering the industrial labour market. The second factor, namely the steady growth of factory industry, is of much greater importance from the point of view of the protection of the worker. Between 1892, when statistics began to be regularly collected, and 1929, the only years in which the factory population showed a decrease on the preceding year were 1911 and 1928, and in each case the decrease was less than one per cent of the total. Changes in the definition of a factory have assisted in swelling the figures from time to time; but there is no doubt that the record of perennial factories generally and of most industries has been one of almost continuous expansion. In nearly every other branch of industry, such as mining and railways, there has been similar steady expansion. In such circumstances it was unlikely for unemployment to arise on any large scale among factory workers. In the larger centres there has generally been a reserve of workers accustomed to fill casual vacancies; this has for long been a special feature of conditions in Bombay, where the figures of absenteeism in the cotton mills are high. Until recent years, however, it is doubtful if there was any real reserve of workers willing and able to work regularly in the mills and yet unable to secure employment.

The Existence of Unemployment.

In spite of this, unemployment has existed among certain classes of workers for some time, especially amongst seamen and dock workers. Both these branches of industry require the existence of a certain reserve of workers, but the number idle at any time in recent years in India has far exceeded this requirement. We discuss the position of these industries in a later chapter. There have also been periods when depression has forced certain of the factory industries to reduce output and thereby restrict the wage earning opportunities of workers. Sometimes there have been reductions in the numbers employed with consequent unemployment; in other cases the resort to short time has led to periods of under-employment for large numbers. The jute industry in particular has adopted the method of short-time working when necessary, and indeed for the past few months, owing to the depressed state of the market, the members of the Indian Jute Mills Association have been working a week of 54 hours and closing down their mills entirely for one week in the month. On the question of unemployment in the factory industries at the present time, there are conflicting statements, and in the absence of accurate statistics it is not possible to gauge precisely the extent to which unemployment exists. The tendency of the factory

worker to return to his village when he fails to secure employment prevents the growth of any large reserve of unemployed workers in the city ; but the man who returns to his village is not assured of employment there, or at any rate of regular employment. It is, however, obvious that, as soon as the supply of labour becomes equal to the demand, the problem of unemployment begins to appear and there is no doubt that within the last few years genuine unemployment has made its appearance in some centres and industries. We give below particulars of certain selected cases ; but it should be noted that the figures we quote do not bring the position up to date. Since 1929 economic depression has led to greater under-employment in some industries and has tended to swell the numbers seeking employment in the large cities.

Unemployment in Specific Industries.

In Bombay city there has been a serious contraction of employment, in the cotton mills, as is indicated by the following figures for recent years of the average daily number of persons employed :—

1924	144,547	1927	145,005
1925	146,244	1928	118,617
1926	148,254	1929	118,368

The principal cause of the large fall in 1928 is said to be the serious strike in that year, but even without this, there would have been a measurable decline in employment. The Fawcett Committee, which reviewed the whole position, came to the conclusion that the chief reason for the commencement of the strike was the fear of unemployment. This fear arose from the institution in a group of mills of more efficient methods, involving the employment of fewer operatives. Since the big strikes of 1928 and 1929, general economic depression and political turmoil have combined to prevent an improvement in the position. A second centre in which some unemployment has recently emerged is Jamshedpur where the following are the figures of persons employed by the Tata Iron and Steel Company. These are mainly, but not exclusively, factory workers :—

1924-25	29,106	1927-28	31,484
1925-26	32,078	1928-29	28,842
1926-27	32,521	1929-30	28,660

At the end of 1926 the Tariff Board, in their report on the steel industry, emphasised the need of a drastic reduction in the numbers employed at the Steel Works. The endeavour to carry out this policy led in 1928 to serious unrest and a prolonged strike. In the same year a strike which occurred in the Tinplate Works at the same centre revealed the existence of a considerable number of *ex*-employees of the Steel Company who had remained in Jamshedpur. The only other group of factories in which we found evidence of unemployment on a recognisable scale was the railway workshops. Here also the examination of working methods by an official committee revealed the fact that increased efficiency could be secured with substantially smaller numbers

and this was followed by reductions in the staffs. The average daily numbers employed in recent years have been :—

1924	138,070	1927	146,432
1925	141,302	1928	137,464
1926	152,270	1929	135,982

The numbers thrown out of work were, of course, larger than the reduction in these figures would indicate; for, although workers were transferred from one workshop to another on the same system, it is not possible for a workshop in one province to limit its recruitment to men retrenched in other provinces.

Prospect for the Future.

Thus unemployment is certainly not unknown among Indian factory workers, but in the past it has been on a comparatively small scale. It is possible that, with an increase in the supply of labour, unemployment may assume greater dimensions; but, as the factory population is, to a large extent, made rather than born, *i.e.*, as it is mainly drawn from the villages in response to demand and does not grow up in the cities, the question is mainly one of preventing the number of city workers being swollen by men for whom there is no work. As we have already stated, the regularisation of employment, which we have recommended, should do much to make employment secure for those who are required and to discourage those who are not required from entering the labour market. It has to be borne in mind that, even if there is no expansion of industry, the present numbers cannot be maintained without constant recruitment. The fullest insurance against unemployment, however, would be provided by the growth of Indian industry; and, in the absence of convulsions from non-economic and especially political causes, there is every reason to anticipate such growth. If, on the other hand, industry is checked or in part destroyed by internal commotion, no economic scheme can protect the workers from sharing in the suffering involved.

Efficiency and Unemployment.

It is important to observe that, until very recently, the main cause of unemployment has not been the contraction of trade. In the railway workshops and in the steel industry, the decrease in numbers was the consequence of an increase in efficiency, *i.e.*, it represented the tendency to secure the same work from fewer operatives. This is also true, in part, of the unemployment among Bombay cotton mill workers. We believe that the need for increased efficiency is generally recognised by all who have given serious consideration to Indian industrial conditions. The production of the average operative is at present low and the loss caused by this inefficiency falls mainly on the operative himself. If the standard of living is to be substantially raised, the operative must produce more, *i.e.*, fewer men must be employed for a given production than is the case at present. The demand for higher standards will continue, and it should be assisted conjointly by employers and labour. At the same time, every endeavour should be made to secure the workers against the

immediate hardship often caused by the introduction of higher standards. Ordinarily improvements in efficiency are best effected gradually, and the high rate of turnover at present characteristic of Indian factories simplifies the problem of reducing numbers without dismissals. Cases, however, arise where urgent retrenchment is required on a scale which demands a large reduction in numbers, and it should be recognised that, in such cases, the workers discharged have a claim for some measure of relief. Where any comprehensive scheme of reduction is contemplated in an industry, the introduction of a joint scheme of unemployment insurance should be considered. The Fawcett Committee of 1928-29 outlined a proposal of this character for the Bombay cotton mills which we commend to all employers who find themselves faced with this problem.

Employment Exchanges.

Measures such as these will not provide an effective remedy for any general unemployment resulting from a time of economic stress such as that in which we are writing, and we have examined the possibility of dealing with this in a comprehensive way. Here we are handicapped by the complete absence of statistics. In no centre in India, so far as we are aware, is it possible to say how many industrial workers are unable to secure employment; information is equally lacking regarding the number of such workers who may be in the villages awaiting the return of better times. It has been suggested that, apart from any other advantages, the establishment of employment bureaux would provide means for measuring the extent of the trouble. We cannot accept this view, for we do not believe that a bureau, which was unable to offer any definite relief to persons genuinely unemployed, would provide any index to their numbers. Even if bureaux could offer prospects of employment to a proportion, it would be impossible for them to maintain accurate registers of the unemployed. As regards the other services which State bureaux could render, it is scarcely necessary to point out that they could not affect the volume of employment and could only increase the mobility of labour. In the present position of Indian industry, it is most unlikely that they would be in a position to offer an appreciable number of vacancies unless employers were compelled to recruit through them. Such compulsion is possible in special cases, such as shipping, but so far as industry generally is concerned, we do not regard it as practicable under present conditions. The maintenance by employers in a single industry and centre of a joint bureau for recruitment offers less practical difficulty. Such bureaux, not in the industrial centres but in the areas from which the workers are drawn, might have served a useful purpose in the past. We do not think that it would be wise to start them at a time when most factory owners can find sufficient labour at the gates.

The Relief of Unemployment.

So far as the relief of the unemployed is concerned, we received some suggestions for the establishment of a statutory system of

unemployment insurance, but we cannot regard any national system of insurance with which we are familiar as feasible at present in India. With the existing turnover and in the absence of an industrial population which is both permanent and regular, the risk is not a calculable one. Therefore, even if the workers were able and willing to contribute, there is no basis on which a scheme could be built. This does not, however, relieve the State of the responsibility of taking such measures to deal with unemployment, when it arises, as are likely to be effective. This responsibility has long been recognised in India ; but the system of unemployment relief was devised before organised industry had developed and has been evolved with reference solely to the rural population. It has been of great value to them at times and might prove capable of adaptation to the towns. The principles and methods of the system seem to us to be more likely to be successful in dealing with urban unemployment under present conditions than those of any Western scheme of insurance. The essence of the system, as we understand it, is the preparation beforehand of schemes of work for the workless, and the putting of these into operation when the flow of labour to test works has demonstrated the need of relief. The wage paid is a bare subsistence rate, and it is coupled with subsidiary measures of relief for those who are not able-bodied and for dependents. The works selected for the purpose are capable of being carried out by unskilled labour and are usually designed to be of lasting benefit to the community. There should certainly be no difficulty in providing such work in urban areas. The industrial areas in particular offer great scope for improvements in the way of slum clearance and the construction of roads and drainage. In some areas, work of this kind, if undertaken on the lines followed by Improvement Trusts, should involve less financial loss than those available in rural areas and might even prove remunerative. The cost of test works would be small and, at times like the present, these would show whether there was acute need of more extensive measures. Care would have to be taken to avoid attracting labour from the country to the towns, but we believe that this danger could be obviated. We recommend that along these lines Government should examine the possibilities of making preparations to deal with unemployment when it arises, and of taking action where it is now required. We would not preclude the examination of additional methods of ensuring against unemployment. The substantial success which has been achieved, on a large scale, in assisting the agriculturalist to tide over periods of stress, gives reason to hope that the much smaller problem of assisting the unemployed industrial worker should not prove incapable of solution.

CHAPTER IV.—HOURS IN FACTORIES.

This chapter deals with hours in factories; we are concerned mainly with the operation of the relevant provisions of the Indian Factories Act and make proposals for their amendment. The Act applies to both perennial and seasonal factories; but in this, as in the preceding chapters, the discussion excludes those factories which do not work for the greater part of the year. We also reserve for later consideration the smaller factories, *i.e.*, those employing less than 20 persons, and the establishments in which no mechanical power is used, although a few of these are at present subject to the Act.

The Present Law.

Between 1875 and 1908 factory legislation was the subject of investigation by four Commissions or Committees and particular questions concerning factory labour have come under review, either locally or generally, at different times before and after 1908. Factories Acts were passed in 1881, 1891, 1911, 1922, 1923 and 1926, and the present law is derived from the last four Acts. As few of the more important provisions now in force go back earlier than 1922, we confine ourselves to references to the history of the more important provisions as they come under discussion. Adult hours are ordinarily restricted to 11 per day and 60 per week. So far as women are concerned, the daily limit dates from 1891. In the case of men, a daily limit of 12 hours for textile factories was introduced in 1911, and this limit was reduced to 11 hours and extended to non-textile factories in 1922, when the more important weekly limit of 60 hours was introduced. The latter limitation was based on a special provision relating to India in the International Labour Convention dealing with hours of work, which was adopted at Washington in 1919 and ratified by India in 1921; but the operatives in some of the leading centres had secured a 60 hour week before it was embodied in the law, and employers generally advocated or consented to its introduction. The special article relating to India in the Washington Convention concludes with the words, "further provisions limiting the hours of work in India shall be considered at a future meeting of the General Conference."

Statistics of Hours.

Before examining the desirability or possibility of amending the law, we review briefly the existing position in respect of working hours in perennial factories. When no date is given, our statements refer to the position in 1929, before the present depression set in. The annual statistics of factories contain statements for each province showing the number of factories in which normal weekly hours fall within specified limits, and we give the all-India figures below.

Number of factories in which normal weekly hours are :—	For men.	For women.
Not above 48	2,164	1,723
Above 48 and not above 54	1,008	658
Above 54	4,791	3,067

Unfortunately these figures throw little light on the position in perennial factories as they include the seasonal factories also, which constitute about half the total number. For the most part, the latter work both men and women for long hours, but the tea factories, which ordinarily work very short weekly hours, form an important exception. We believe that, if seasonal factories were excluded, factories in which normal hours were not above 54 would constitute substantially more than half the total. But a better view of the position can be obtained by examining in turn the more important industries, and here we have been furnished with a large mass of evidence.

Cotton Textile Factories.

The cotton textile mills ordinarily work a 60 hour week. Here the majority of the operatives are worked for 6 days of 10 hours each. In a number of the Bombay mills, and in a few mills elsewhere, women arrive later and leave earlier, and particular classes of operatives have shorter hours. A single shift is the general rule, but a few factories have worked on a shift system for some time and in the last two years a night shift, generally very limited in numbers, has been introduced in several mills. In a few cases the night shift works for only 9 hours, but mills which have adopted two or more shifts have adhered as a rule to the 10 hour standard. No overtime is worked.

Jute Mills.

In the jute mills of Bengal hours of work have been regulated for many years by the Indian Jute Mills Association, which includes nearly all the employers. Since the end of the war, the mills in the membership of the Association, to meet the requirements of trade, have not worked more than an average of five days per week, except for nine months in 1920 and the twelve months ended 30th June 1930. With the exception of the latter period, the associated mills since April 1921 have been working 54 hours per week and since July 1930 for only three weeks out of every four. When working 54 hours, single shift mills run five days, but mills working under the multiple shift system (a rapidly diminishing number) run four days of 13½ hours, thereby limiting the hours of individual operatives to 44 weekly. Even during the last year's spell of 60 hour working, the hours of operatives in the multiple shift mills, which worked four days and five days in alternate weeks, were limited to 44 hours in one week of the fortnight and 55 in the other. In view of the fact that jute mills generally have had only twelve months' experience of more than 54 hour working during the past ten years, it is interesting to note that the Indian Jute Mills Association observe :—

> "The restriction under the Factories Act to a sixty hour week has, undoubtedly, been very beneficial to labour. Workers have more leisure, especially at week-ends, and general efficiency has been considerably increased. The restriction has had little or no effect on the jute industry, the increase in the efficiency of the workers making up for the restriction in working hours."

Engineering and Metal Works.

In the engineering trades, a short normal week is practically universal. In general engineering shops, the normal week is not above 50 hours, and some have an even shorter week. The hours, especially in Bengal, are frequently arranged so as to give a half holiday on the last day of the week. In railway workshops, the common week is one of six days of 8 hours, and in some it is slightly shorter. Hours are similar in those metal working factories in which a 7 day week is not required. Of the engineering and metal works, a considerable proportion are owned by Government, but there is no noticeable variation in respect of hours between State factories of this type and those which are privately owned. Overtime working is not infrequent in engineering shops, but even with overtime, the average week would appear to be substantially below the legal maximum.

Factories Running Continuously.

The factories we have been considering work on not more than 6 days of the week. There is, however, a considerable number of factories in which, on account of the necessity of working the processes continuously, permission is granted to work on every day of the week. In most cases this permission is accompanied by a condition that the workers should receive a holiday once a fortnight. The great majority of these factories work on a system of 8 hour shifts, three shifts of workers being employed. This is true of a large number of workers employed in iron and steel works, in the larger sugar factories, in coke factories, and in some less important classes. Similar hours are also worked in a number of factories which meet the essential daily needs of the public, such as electric generating stations, water works and gas works. With a fortnightly holiday, the hours of workers employed on the 8 hour shifts come to 56 and 48 in alternate weeks, giving an average of 52 hours. Thus in the iron and steel works at Jamshedpur, some workers have a 48 hour week and the actual average number of hours, including overtime, is reported as about 51 or 52. In some other continuous process factories, the average is probably nearer 56. As a rule, flour mills work continuously throughout the week, but in this industry there are generally only two shifts of 12 hours each, the workers, in theory or in fact, receiving intervals amounting to 2 hours throughout the shift.

Minor Industries.

In the minor industries hours naturally vary greatly. Generally speaking, the hours in perennial factories in Bengal are substantially shorter than the legal maximum, while in the less industrialised provinces and especially in the smaller centres a 60 hour week is frequent. In the printing trades a short nominal week is fairly general, but a substantial amount of overtime is common. As a rule the tobacco factories do not work for more than 54 hours a week. Those rice mills and oil mills which are perennial generally work for the full maximum week. Woollen and silk factories also normally work for 60 hours. Where this is the case, the week is usually divided into 6 days of 10 hours each.

Opinions.

Suggestions were made to us by some witnesses that the limitation of 60 hours was not in the best interests of India and one or two employers advocated a longer week. We are glad to say that these employers were not representative and we are satisfied that there is no general demand and no justification for any relaxation in this direction. Although twenty years ago strenuous opposition was offered to the principle, which was then novel, of limiting hours for men, it was not contested in the evidence before us, and we are satisfied that such limitations are desirable under present conditions. The question, as it presents itself to us, is whether the limit should be reduced or not, and on this we received a large number of opinions. The labour associations and those representatives of labour who appeared before us are generally in favour of an 8 hour day. While employers generally are not in favour of making any reduction, and some important associations are strongly opposed to any change, there are some employers who are ready to consider sympathetically a shorter statutory week. With the notable exception of the Bengal Government, who advocate a 55 hour week and a 10 hour day, the provincial Governments have refrained from expressing definite views. We think that public opinion generally would welcome a reduction if this can be secured without inflicting injury on Indian industry and on the economic position of the operatives.

Needs of the Operative.

The advantages of a shorter week from the point of view of the human needs of the worker do not require to be stressed. When to a 10 hour day one hour of statutory intervals is added (and no reduction in this can be contemplated in so long a day), it means that the operative has ordinarily to remain in the factory precincts for not less than 11 hours. This takes no account of the time spent in going to and returning from work. The remaining hours are generally sufficient for cooking and eating meals, for sleep and for the necessary duties of the home, but, except when the weekly holiday brings its respite, hours of leisure away from the factory are virtually unknown. A reasonable amount of spare time away from the factory is indispensable for the building up of citizenship, for the development of life, as opposed to mere existence, and for the maintenance of physical efficiency. It is worth remembering, moreover, that most of those who are at present compelled to remain in or near the factory for 11 hours a day were brought up in the freedom of the open fields.

Effects of Reduction.

It is essential, however, before reaching a conclusion, to consider the possible effects of a reduction of hours on industry. We believe that, if such a reduction were to result in any appreciable contraction of industry, a real disservice would be done not merely to the community as a whole but to the factory operatives themselves. It is also necessary to bear in mind the relationship between hours of work and wages, for the standard of living of the factory worker is such as to make any reduction

in his earnings a serious matter. We proceed to examine these questions with special reference to the cotton textile industry, as this is by far the most important of the industries which still work most of their operatives for 60 hours a week.

Nominal and Actual Hours.

One of the points stressed before us by employers in this industry was the substantial difference between the nominal hours and the hours of actual work. The point emphasised was that, although in practically every case the operative is nominally working for 10 hours, he spends a considerable part of his time in the compound smoking, loitering or eating his meals. We were given a number of estimates of the hours of actual work during the day. The representatives of the Ahmedabad Millowners' Association placed this at 7 hours, and the representatives of the Bombay Millowners' Association at 8 to 8½ hours. An Association of textile managers in Bombay estimated the extent of working time spent outside the factory at 2 hours daily, and the same figure was given by an agent of an up-country mill. In Cawnpore, the leading textile employers estimated actual hours of work at 8 to 8½ daily. We are not in a position to confirm or to question the actual figures, but we do not doubt the main fact that a considerable portion of the day is not spent at the machine. In Bombay particularly, the visitor is struck by the large number of men who can be found outside the factory building at almost any hour of the day. Thus meals are generally taken, not during the statutory interval, which is inconveniently placed for the purpose, but during the nominal working hours. During the unauthorised periods of rest work is carried on either by other operatives undertaking it in addition to their own, or by extra workers definitely engaged for the purpose.

Attitude of the Operative.

It may seem that an appreciable reduction of hours could be achieved merely by the elimination of a portion of the unauthorised periods of rest. But it is stated by some observers that the worker prefers a long day with lax discipline to a shorter day with strict discipline. It can be argued in support of this view that many of them come from agricultural surroundings and that the idea of giving concentrated attention to work day by day for regular hours is foreign to them. There is an element of truth in this and, quite apart from the question of habit, few of the present operatives have the physique and training which would enable them to work with that degree of concentration which is demanded in the West. It is indeed arguable that climate and other factors would always render a somewhat slower pace imperative in India. On the other hand, we have no doubt that it is impossible for the average operative to remain at work regularly through a 10 hour day either in a cotton mill or in any other factory. The unauthorised intervals are a form of self-defence against over-work. It is significant that the statements made to us by employers regarding the great difference between nominal and actual hours of work were mainly confined to the cotton mill industry. We do not suggest that loitering is unknown elsewhere, but we are satisfied

that, generally speaking, the short working week is associated with closer attention to work and stricter supervision than the long one. Further, in no case did those workers who were working a short week with stricter discipline suggest that they would like a longer and less intense day or more intervals. As a matter of fact, the attempt in 1922 to increase the interval of half an hour in an 8½ hour day in engineering shops in Bengal and elsewhere was defeated by the operatives. Similarly, in some Bombay cotton mills which, prior to 1922, had worked the operatives for an 8 hour shift without any interval, the introduction of an hour's statutory interval led to a strike. Nor did a single employer who had adopted a short day suggest that it would be better to lengthen the day and require a correspondingly lower standard of concentration. Finally, few would be prepared to assert that the cotton mill operative, when compared with workers doing a shorter and more intense day, shows that greater contentment which the longer and less intense day is supposed to yield.

Effect on Wages.

So far as the operatives are concerned, we cannot view the possibility of a reduction in earnings without misgiving. But we believe that, if too large a reduction of hours is not attempted, the effect will be small, and it is relevant to observe that real wages have recently risen appreciably and are now higher than they have been for some years. Even if a fall in wages results, it need not be permanent. With greater time for genuine relaxation, many workers would probably require shorter holidays and fewer days of absence than at present, and could thus reduce the loss which these breaks impose on them. Many employers believe firmly that the average operative desires to earn merely sufficient for his bare needs, and is unwilling to earn more by doing more work, *i.e.*, that he prefers leisure to a margin in wages. We discuss this view elsewhere and cannot subscribe to it in the form in which it is usually presented. At the same time, the great importance which the Indian worker attaches to adequate leisure is a truth underlying it. It is also important to remember that, in the cotton mill industry in particular, there are still opportunities for increased effort on the part of the operative. So far as we are aware, there is no industrial country, except possibly China, where so little is expected from him in effort and so much in attendance at the factory. The average number of looms given to each weaver in India is less than two and one spinner is ordinarily required for each side of a frame. Attempts have recently been made to advance beyond the usual standard and, even with existing hours, it should be possible to secure improvement. We believe that, apart from any reduction of hours, employers will steadily increase their demand for efficiency from the operative. Shorter hours should supply both an incentive and an enlarged opportunity for raising the general standard of work.

Previous History.

The maintenance of the existing economic position of the industry and its workers, in spite of a statutory reduction of hours, depends mainly on the extent to which the hours of actual work can be compressed into

a smaller compass, and the unauthorised intervals cut down. If this can be achieved to any large extent, the problem reduces itself to one of adjusting the total hours for the machinery. Here some evidence is afforded by past history. When the Factory Labour Commission of 1908 made its investigations, many textile mills were working from 13 to 15 hours a day with a single set of workers, and shortly before that this practice had been fairly general. There was ample evidence that loitering was associated with long hours, and the Commission considered that the operatives, by their leisurely mode of work, counteracted to a considerable extent the evil results which would naturally follow from excessive hours. In 1911 a statutory limit of 12 hours per day was introduced in textile mills. There is no doubt that the general reduction of hours to this limit was profitable, and no one would now expect to gain by working operatives for 14 hours a day; even at that time it was recognised by many as unprofitable. As we have already stated, the statutory 60 hour week dates from 1922, but a 10 hour day in cotton mills had been secured shortly before that date. Opinions differ regarding the effect of the second reduction and these opinions reflect differing experience. We do not doubt that a number of mills were able to secure increased efficiency from the operative to an extent which more than compensated them for the loss of working time, and that in others there was in certain processes a distinct fall in production. Indeed, it is not difficult to show that the production of the average cotton mill operative in British India fell immediately after the introduction of the 10 hour day (though not in proportion to the reduction of hours) and that in a few years it had risen to a higher figure than that prevailing before the change. This, however, is not the same thing as proving that the operatives' efficiency, by itself, increased to such an extent that they gave more to the industry in 10 hours than they had previously done in 12. There have been many factors at work, from unimportant ones like the substitution of adults for children to more important ones such as expenditure on improved plant, machinery, cooling-systems, etc., and changes in types of cotton used and counts spun. We are not prepared, therefore, to give any quantitative estimate of the results of the change, particularly as these results varied widely from centre to centre. But there can be little doubt that, following the change, on the average the efficiency of the operatives has risen substantially. The change also had some effect in stimulating employers to secure increased efficiency in other directions.

The Outlook.

The last 25 years, then, have seen a great reduction in nominal hours, accompanied by a growth in the efficiency of the operatives and of the mills. It does not follow that the effect of the reduction from 12 hours to 10 will be repeated if a further reduction is made. As hours are lessened, a point must be reached at which, even if the industry can maintain production by employing shifts, the operatives cannot face a further reduction of earning capacity. But the evidence shows that this stage has not been reached and that,

with a reduction of hours, it would be possible and, if there were co-operation between employers and employed, easy not merely to maintain but to increase the average production per operative employed. Nor is the operative the only party who can increase his efficiency. Actual machine efficiency is now generally high, but some mills work with obsolete plant, and in several directions improvements in organisation are possible. Finally, a reduction in the hours of the individual operative need not mean a reduction in the hours worked by the industry. One difficulty in the way of reducing hours is that in some departments, notably spinning, production is now mainly dependent on the machine rather than the man. But a wider adoption of shifts would enable the industry to maintain production, even if the average output per operative fell, and to increase it greatly when market conditions justified such a course. It would also afford possibilities of reducing the incidence of overhead costs. A recommendation, which we make later in respect of women's work, is designed to facilitate the working of two short shifts. We recognise that in some centres the extension of shifts will add to the difficulties of the authorities in respect of housing. But we believe that, if Indian industry is to expand profitably in competition with other countries, it will be advisable to make more use of the machinery and plant. The growth of shift systems is a probable development, whether hours are reduced or not.

Other Industries.

What we have stated does not apply with the same force to the large number of seasonal factories which work the operatives for as long as the law permits. Here conditions are essentially different, and we discuss these in another chapter. So far as the remaining classes of factories are concerned, we can find no circumstances which would justify the continuance of a 60 hour week. Certain work may be described as essentially intermittent, and where this is so, latitude can be allowed by special exemptions ; but in some factories of this class, such as flour mills, a reduction of the hours of their workers is required.

A 54 Hour Week.

With the exception of Sir Victor Sassoon, we are agreed that a reduction in the statutory week is practicable and desirable. On the question of the extent of the reduction, namely, whether it should be to 54 or to 48 hours, we have to submit diverging views. The majority of us recommend a reduction to 54 hours a week for the following reasons. We are satisfied that in large sections of industry this limit will cause no appreciable inconvenience, and in the others the workers have a reasonable claim that the necessary adjustments shall be made. On the other hand, the introduction of the lower limit would involve a change of hours in the great majority of the perennial factories, and it would mean a very heavy reduction in the factories now working 60 hours. Many operatives would have to face large reductions in their earnings and, while we do not doubt that part of this loss would be made good before long, we are not convinced that the operatives as a whole are in a position to

regain their old standard in any reasonably short period. From the point of view of industry, the employer is entitled to claim that, until the worker is ready to approximate more nearly to Western standards of discipline, it is unreasonable to attempt an 8 hour day, and even an 8½ hour day would involve an amount of dislocation that would be serious. It may be possible in the future, when efficiency has risen further, to go lower than 54 hours. But efficiency is not likely to be raised so surely by a sweeping reduction as by a smaller one, and there will be nothing to prevent a further reduction, if the results of the smaller change which we advocate indicate that this is desirable. Finally, we believe that the 48 hour limit which some of our colleagues advocate could only be operative at present if great latitude was given in the matter of exemptions. In our view, the worker will be better protected by a limit which can only be relaxed in exceptional circumstances than by one to which many exceptions have to be attached. So far as the daily limit is concerned, we would fix this by statute at 10 hours. This will permit of working either six days of 9 hours each or five days of 10 hours with a half holiday on the sixth, and will give some elasticity. We would allow factories working on continuous processes or supplying articles of necessity which have to be supplied every day a 56 hour week, subject to their giving the operative an average week of not more than 54 hours and conforming, in respect of holidays, to the provisions we recommend later.

Views of Members Advocating a 48 Hour Week.

Mr Cliff, Mr Joshi and Diwan Chaman Lall incline to the opinion that the facts, as disclosed during the tour, warrant a larger reduction of working hours than is recommended. They consider that climatic conditions alone, apart from other factors, dictate such a course. The continuance of the practice of allowing unauthorised intervals that are so striking a feature of the industries working long hours, and the attempts by employers to regulate these intervals are admissions that the worker cannot reasonably be expected to give sustained effort for such long periods as are permissible under the law. This is further borne out by the fact that, in the industries working a shorter day, the workers are expected to give and actually do give a much greater degree of continuous and sustained effort. It has also to be remembered that, of the organised industries, it is mainly in cotton textiles that the worker is required to work for the full statutory week of 60 hours. It is in this industry, which is already protected by tariffs, that, probably not without cause, the charges and complaints against the worker of inattention and inefficiency are greatest. If regard be had to the atmospheric conditions under which cotton operatives work, then it must perforce be recognised that, on physical grounds alone, the need of the worker for a shorter working day is undoubted. This industry urgently requires a higher standard of efficiency, but it is scarcely reasonable for the employers to expect a higher standard, while at the same time they are requiring of the workers unreasonably long hours. The conditions existing in many

factories, coupled with the long hours, vitiate energy and prevent increased efficiency and production. They hold the view that the essential requirements of a worker, working under Indian conditions, is first a shorter working day and second, the provision of suitable rest periods during the working day. In their opinion the institution of an 8 hour day in factories under present conditions is not only desirable but both practicable and necessary. They believe that, within a reasonable period of time, it would result in increased efficiency on the part of the worker, improved organisation on the part of the employer, and as a result would be a sound economic proposition. They suggest that two hours should be allotted for the provision of suitable rest periods. The settlement of the length of the rest time and its allotment should be determined by local factors. They therefore recommend that in factories the existing weekly and daily limits be reduced to 48 and 8 respectively and that provision be made for adequate rest periods.

Distribution of Hours.

We turn now to the consideration of the distribution of hours throughout the day. The present requirements of the law ordinarily involve the grant of an interval of an hour. For this two half-hours may be substituted at the request of the operatives, and where in factories the working day is not more than 8½ hours, and the operatives so desire the local Government can permit men, but not women, to have only one half-hour's interval. Not more than 6 hours' work can be done continuously if an hour's interval is given and not more than 5 hours' work in other cases. The only remaining restriction on the distribution of the hours of work for adults is designed to prevent the night work of women, and precludes their employment between 7 P.M. and 5-30 A.M.; these times can be varied somewhat by the local Government so long as the gap of 10½ hours between the two is retained.

Suitable Intervals.

The principle of an interval is of long standing, and, so far as women are concerned, the Act of 1891 (which introduced the prohibition of night-work) prescribed a longer period than is now obligatory. The subsidiary provisions date from 1922 and 1926, and the idea of making intervals vary with the consent of the operatives was introduced by the legislature in 1922. Employers and workers have not shown much readiness to co-operate in experiments with shorter intervals, and a single interval of an hour or longer is the most common practice. Experience in other countries shows that fatigue can be diminished by frequent short intervals, and although the Indian operative is apt generally to be "slow off the mark", more endeavours should be made to discover the best form of intervals. The long continuous spells of work have probably some responsibility for the frequency of unauthorised intervals and, if hours are to be reduced, it is the more important that these should be lessened. We recommend that the statutory intervals should ordinarily amount to not less than an hour in the aggregate, and that, subject to the sanction of the Chief Inspector of Factories, employers should

be at liberty to distribute this hour in such periods as they think best. The distribution of the hours into two or more periods should be made only after consultation with the operatives. For preference, this consultation should be directly between the employer and the employed; but it would be the duty of the Chief Inspector, where he was not satisfied that the views of the operatives had been effectively expressed, to consult them before giving his sanction. This should in any case be given after having regard to the convenience of the operatives (*e.g.*, their meal times and the proximity of their homes to the factory). The provision permitting a reduction to half an hour for men working a shorter day should remain, but this should continue to be subject to the consent of the majority of operatives affected.

Spreadover: the Present Position.

The question of maximum intervals, or spreadover, which is not touched by the present Acts, requires attention. In the majority of factories, intervals are not unduly long or numerous, but there are important exceptions. An extreme instance is afforded by two South Indian cotton mills working in shifts, in which one shift has to work for two periods of 5 hours each, separated by intervals of 7 hours. For a man on this shift, 7 hours is the longest period of absence from the factory on working days. It is only fair to add that the shifts are interchanged at regular intervals; but even so, the arrangement is one which ignores the needs of the operatives. In the Bengal jute mills the great majority of the adult operatives begin work at 5-30 A.M. and finish at 7 P.M., with intervals variously arranged, and this is true also of some of the children. The night is thus reduced to 10½ hours, a period which is further reduced for many by reason of the distance of their homes from the factory. It is at least questionable if the present practice in most jute mills is in conformity with the International Labour Convention relating to night work for women, which India has ratified; but whatever view be taken on this point, we believe that, in the interests of the operatives, not less than 11 hours should be secured for both men and women.

Spreadover and Night Work.

Our recommendation is that the work of individual operatives in any day should be required by statute to fall within a period of 13 hours. In the case of men, the day need not be the calendar day; what is intended is that there should be a regular rest interval of not less than 11 hours. To meet special difficulties local Governments might have the power to grant exemptions in exceptional cases. These should be limited to cases where the increased spreadover is in the interests of the workers and is acceptable to them. In the case of women, the rule should be absolute and the 11 hours' period should cover the night. The Factories Act as it stands at present prescribes a 10½ hour rest period for women, and fixes this ordinarily as the period between 7 P.M. and 5-30 A.M. We advocate a relaxation here and would prescribe merely that the 11 hours' rest period should include the hours between 10 P.M. and 5 A.M. The effect of our proposals will thus be to extend from 13½ to 17 hours the

period within which factories may employ women, and to reduce from 13½ to 13 hours the period within which they may employ any individual woman. In this connection we have considered the objections, which are felt strongly by many in India, to women working in or travelling to and from the factory after dark. We believe that many women will be unwilling to accept work involving late hours or a very early start, and we do not anticipate that this relaxation will have any effect on the hours in factories which work without shifts. At the same time, we regard it as desirable to remove an obstacle in the way of the more general adoption of shifts and the employment of women who may be willing to work on these shifts. We may add that, if adopted, our proposals will bring the Indian law into strict conformity with the Convention relating to night work for women, to which we have referred. In the case of children, we recommend that the spreadover be limited to 7½ hours, and consider that the night rest should continue to include the hours between 7 P.M. and 5-30 A.M.

Multiple Shifts in Jute Mills.

Another question, to which great attention has been directed in Bengal in connection with the jute mills, is the control of shifts. Prior to 1922, textile factories could not work for more than 12 hours in all except under a system of shifts approved by an inspector. In 1922 all restrictions on the running hours of machinery were abolished, and with these went all power to prevent the working of shifts. The Government of Bengal now desire power to control the working of shifts with a view to the prevention or modification of a system which has been extensively used in jute mills. The practices to which the Government of Bengal and others have directed our attention require explanation. The Bengal jute mills are divided into " single-shift " and " double-shift " mills. All the mills open at 5-30 A.M. and close at 7 P.M., and in the former class of mills there is an interval of 2½ hours during which no work is done. Here the only defect is the inadequate night period, with which we have already dealt. In the " double-shift " mills, the machinery runs for the whole 13½ hours and work is conducted on a system of overlapping multiple shifts. This is best understood by reference to the appended diagram, which shows the shifts and the hours during which they worked in a typical mill. The essence of the system is that the workers in each department are divided into a number of groups enjoying intervals at different times, so that the machinery runs continuously for 13½ hours with constant changes in the groups at work. It will be observed that, in the case illustrated by the diagram, the intervals are so arranged that at 22 different times in the course of the day, some workers are due to come in and relieve others who go out.

Objections to Multiple Shifts.

There are several objections to such a system from the point of view of labour. In the first place, the intervals bear no necessary relation to meal times and, where different members of a family work in different

Diagram shewing General Arrangement for Multiple Shift Working.

Hours: 6, 7, 8, 9, 10, 11, 12, 1, 2, 3, 4, 5, 6, 7

Half-hours: 5-30, 6-30, 7-30, 8-30, 9-30, 10-30, 11-30, 12-30, 1-30, 2-30, 3-30, 4-30, 5-30, 6-30

Department	Shift	Hours
Batching	A	$9\frac{1}{2}$ Hours.
Preparing	B	$9\frac{1}{2}$ "
Calender	C	8 "
Half time Shifters	D	6 "
	E	6 "
	F	6 "
	G	6 "
	H	6 "
	J	6 "
Weavers	K	11 "
	L	11 "
	M	11 "
	N	11 "
	O	10 "
Winders	P	11 "
Beamers	Q	11 "
Sewers	R	11 "
	S	11 "
	T	10 "

departments of the mills, as is frequently the case, it is most unlikely that they will be able to have their meals together. In the second place, supervision becomes extremely difficult and the Chief Inspector of Factories gave evidence of long series of infringements in these mills. It is stated that an appreciable number of the workers shown in the registers have no existence in fact. Non-existent workers are credited with pay which is divided between the clerks, the jobbers and the men who do the extra work. The proportion of such " dummies " was estimated by competent witnesses at 7½ or 10 per cent of the total. Where this is true, the daily hours are clearly being lengthened beyond the legal limit. This abuse reaches its height in the case of children and the certifying surgeons agree that " the systems of shifts in multiple-shift jute mills afford every opportunity for employment beyond legal limits and in some mills children are actually working as many as 11 or 12 hours a day ". It is only fair to add that the certifying surgeons report that the overworking of children also occurs in single-shift mills. But in such mills it appears to take the form of employment in more than one mill and we agree with the Bengal Government that " the regulation of child labour is easier from the point of view of both the manager and the factory inspector ".

Some Effects of the System.

The system increases the power and the illicit profits of the jobbers and it diminishes correspondingly the control over labour which the management can exercise. Thus the influence of the jobbers is in favour of its maintenance and this is partly responsible for the fact that many workers apparently prefer it. Moreover, it enables the operative who desires to work longer than the Act permits to do so. On the other hand, the operative who wishes a short working week can secure it, for a strict observance of the time-table at present means only 44 hours' work weekly against 55 hours in the single-shift mills. We believe that this constitutes a powerful attraction for many, and the extra day off which has generally been associated with the system has an obvious appeal. So far as wages and production are concerned, it is admitted that both are increased by the transition from multiple to single shift working. As even the supporters of the double-shift system admit that it is uneconomical, its continuance is a matter for some surprise. The explanation generally given is that the maintenance of a large reserve of labour makes it possible for the industry greatly to increase production without employing new workers or additional machinery. We do not believe that the reserve of labour is as large as the legitimate working of the system should produce, and in any case we regard these considerations as affording insufficient justification for its continuance.

Conclusion regarding Overlapping Shifts.

The proposal made by the Government of Bengal is that, in respect of shifts, local Governments should have power similar to that held by factory inspectors prior to 1922. Under the original Factories Act of 1911, textile mills could not work for more than 12 hours except on a system of shifts approved by the inspector. We consider that this

goes beyond the needs of the case, and we are anxious that employers who wish to work on shift systems should be subject to as few restrictions as possible. We recommend, therefore, that in future the local Government should have the power to control overlapping shifts. By these we mean shifts which involve the simultaneous employment on work of the same kind of more than one shift of persons; such shifts have already been made illegal in mines by the Indian Mines Act. So far as the jute industry is concerned, we understand that it is itself effecting a reform; there has been a steady tendency to convert multiple-shift mills to the single-shift system, and it is possible that multiple-shift mills, which are now in the minority, will disappear without official action in a short time.

Sir Alexander Murray agrees with our recommendation that Government should have the power to control overlapping shifts but he regrets that his experience does not allow him to accept our picture of the working of the system or of its effects.

Hours for Women.

We received a number of opinions in favour of fixing the maximum for women's hours at lower levels than those prescribed for men. The main arguments in favour of this course are that women have domestic duties to perform, and that they find the long hours a greater strain. In practice, too, their hours are shorter in a number of factories. On the other hand, to restrict women by law to shorter hours than men would undoubtedly lead to the substitution of men for women in many factories, and we believe that it is desirable to increase rather than to diminish the openings for the employment of women. The sex disparity in many big cities, which is already a menace to the life of the industrial worker, would be further accentuated by an increase in the proportion of men employed, while it would be diminished if women were more generally employed. Moreover, if hours are limited as we recommend, there will be less danger of their exceeding the capacity of Indian women.

Work of Half-timers.

Children under 12 may not be employed in factories. The Act of 1922 provides that persons between the ages of 12 and 15 years, subject to their being certified as physically fit, may be employed for not more than 6 hours a day. The ages for half-timers were 9 to 14 years before that date, and the maximum hours were 6 in textile factories and 7 in others. Children working for the full day of 6 hours must have a rest period of half an hour, so arranged as to prevent more than 4 hours continuous work, but if the day is restricted to 5½ hours' work, no interval is necessary. Some difficulty has arisen from the practice of employing children under different names and with different certificates in two factories on the same day. It is almost impossible to prove that a manager is knowingly employing children who are also employed elsewhere, and in 1926 the legislature added to the Factories Act a section making it possible to prosecute the parent or guardian of the child who is employed in two mills. Special vigilance and the use of this section have combined to eliminate or greatly to reduce the evil in the Ahmedabad cotton mills,

where the practice was formerly prevalent, but similar action does not appear to have been taken in the Bengal jute mills, where certifying surgeons report the existence of a similar abuse. We recommend that special and continuous attention should be given to this matter by the local Government and its officers. Persons who are 15 years or over are treated as adults. Recent years have seen a tendency to employ fewer children, and child labour has been replaced by adult labour and particularly women's labour. The proportion of women employed in factories to the total number of operatives has risen, as that of children has fallen; the latter is now below 4 per cent. For reasons we have already given and because many children do not come to the industrial areas till full-time work is available for them, we regard this as a commendable tendency.

Children's Ages and Hours.

Children are almost universally employed on a half-time basis, and the reduction of adult hours will remove any objection to the reduction of children's hours to a maximum of 5 daily. In factories working adults a 9 hour day, 4½ will be the most suitable hours for children. We have considered the possibility of reducing children's hours to a lower level than 5 daily, but we do not recommend this step, as any further substantial limitation, which would prevent the employment of children on half-time work, would probably lead to their complete elimination in most cases. While we have no desire to encourage the employment of children, we doubt if the extent of their present employment goes much beyond the provision of jobs for those who would live in the industrial areas in any case. Along with the question of hours, we have considered the suitability of the present limits of age for children, namely 12 and 15 years, and have decided to recommend no change. We do not regard a 4½ or 5 hour day, on work of the character which children are generally required to do, as excessive for children of these ages, provided always that the existing law which requires that the child should be medically certified as fit for such employment, is strictly enforced.

A Minority View.

Mr Cliff, Mr Joshi, Diwan Chaman Lall and Miss Power dissent from this view and are of the opinion that the minimum age of employment in factories coming under the Factories Act should be raised forthwith to 13 years, and that five years thereafter Government should reconsider the position with a view to bringing the age into conformity with the standard laid down in Article II of the International Convention dealing with the minimum age for admission of children into industrial employment. In Article VI of that Convention, which came into force in June 1921, special provision was made in the case of India, allowing for a minimum age of 12 years. They hold that the intervening ten years has given both the community and organised industry, with which we are concerned in this chapter, a reasonable period in which to become adjusted to a higher minimum age standard. In no part of India did the physique of the children working in regulated factories appear to them to be of a standard higher than that of Western children of similar age or to be such as would justify the continued

retention of a lower minimum age standard. Nor do they consider that the attainment by India of the standard laid down in Article II of the Convention should be dependent upon the establishment in the industrial areas of compulsory primary education. Moreover, in their opinion the amount of dislocation caused should not be great since they believe that it will be found that many children now employed in regulated factories will not leave their villages for the industrial areas till such work is available for them. The majority of the Commission fear that the result will be that some children may seek work in unregulated factories, replacing younger ones whose continued employment in such places will become illegal if our recommendations in a subsequent chapter are adopted, and that the hours in such places will continue for some time to be longer than those at present operative, or now proposed, in respect of regulated factories. The minority believe, however, that this will apply only in a limited number of cases and that it represents a temporary phase, pending the synchronising of the minimum age in both classes of establishment. Even if there were greater force in this argument than they believe to be the case, it would in their opinion be unreasonable to defer any longer the raising of the minimum age for employment of children in establishments coming under the Factories Act. Their recommendation is made in the belief that it will be in the national interest for this age to be increased to 14 years and that the method suggested will achieve this end without undue economic dislocation to parents or industry.

Intervals for Children.

The question of intervals for children's work is one of some difficulty. A 5 hours' period of continuous work is open to obvious objection; on the other hand, to insist on an interval would probably result in the adoption of split shifts, and might tend to keep children away from their homes for long periods. On the whole, having regard to the fact that much of the present work of children in the mills is of a quasi-intermittent character, and that our recommendations, if adopted, will lead to a 4½ hour day for children in the majority of factories, we think it preferable that an interval should not be obligatory. At the same time we recommend that, whether the children are worked for 4½ or 5 hours, all employers should arrange that at least one rest interval is given.

Young Persons.

The question of constituting a separate class of young persons, intermediate between children and adults, has been considered on several previous occasions and has been rejected as impracticable. We agree that it is not reasonably practicable to constitute a young persons' class whose hours would differ appreciably from those of adults; but we think that in two respects the law should give further protection to adolescents. We recommend that persons between the ages of 15 and 16 years should not be employed as adults in factories unless they are in possession of medical certificates certifying them as physically fit for adult employment.

The present provisions governing children's certificates should apply *mutatis mutandis* to these certificates. Further, we recommend that such persons should not be employed when women cannot be employed, *i.e.*, that they must not be employed during the night hours which are closed to women and that in no case should it be possible to exempt them from the provision relating to spreadover.

Day of Rest.

The Factories Act provides for a weekly rest day. This ordinarily falls on Sunday, but employers can substitute for Sunday any of the three days preceding or following it, subject to the condition that there must not be more than 10 days' continuous work. This proviso, which is designed to enable the more important religious festivals to be substituted for Sundays, appears to give general satisfaction; and in a few centres there are more holidays on substituted days than on Sundays. An attempt was made by the Government of India in 1921 so to amend the law as to ensure that the holiday would fall on the same day of the week for long periods ; but the proposal was rejected by the legislature which, we think, interpreted correctly the views both of employers and employed. Some difficulty has been caused by the fact that the law stipulates for a complete calendar day, so that a break of 36 hours or even 47 hours does not necessarily constitute compliance with it. Where work is conducted continuously on shifts, none of which ends at midnight, the day of rest can be given in principle without being secured in practice, and exemptions are frequent in favour of such factories. The International Labour Convention relating to the weekly rest day, which India has ratified, requires merely 24 hours' continuous rest and not a calendar day's rest; but it is preferable to meet special cases by means of exemptions rather than to alter the principle followed by the Indian law, which is better than that of the Convention.

Grant of Exemptions.

Associated with the provisions of the Factories Act relating to hours of work are a number of clauses giving local Governments the power to grant exemptions to individual factories or classes of operatives or factories. No exemptions are permissible in the case of children's hours ; and the daily limit of hours is absolute, so far as women are concerned. But with these exceptions, all the provisions relating to hours of work can be relaxed in certain defined circumstances. In the main the principles governing the grant of exemption are based on provisions of International Labour Conventions. In the years immediately following the passing of the 1922 Act, considerable latitude was shown; lately exemptions have been substantially curtailed. In this respect, policy has been guided to some extent by the central Government who, in exercise of their powers of supervision, have also endeavoured to secure some uniformity between province and province. There are, however, differences in the treatment of the same class of factories in different provinces and in the degree of latitude which local Governments exhibit in the matter of exemptions generally. The criteria laid down in

the Act for the grant of exemptions appear to us to be generally sound, but, if our recommendation relating to seasonal factories is accepted, it should be possible to curtail at once the somewhat long list of exempting provisions. It is a legitimate criticism of the present Act that it takes too little account of the differences between certain classes of factories, and one consequence of this defect is that, in some directions, it has to be unduly elastic. Further, if the hours of work are to be reduced, the provisions governing payment of overtime might suitably be revised. We recommend that, where work exceeds 54 hours in a week, payment be required at not less than $1\frac{1}{4}$ times the normal rate, and that for work in excess of 60 hours, the minimum should be $1\frac{1}{2}$ times the normal rate.

Principles Governing Exemptions.

It is, moreover, insufficient to set down criteria for the grant of exemptions; principles should be formulated for the application of these criteria. Hitherto, the Government of India have not been able to do more than make a few general recommendations at infrequent intervals. It is desirable that there should be more uniform standards for the grant of exemptions throughout India. Here we cannot do more than suggest certain broad guiding principles. The most important of these is that exemptions should be given for specified and limited periods; these should in no case exceed three years, and should be shorter when possible. This will ensure that all exemptions are periodically reviewed. While a certain amount of latitude may reasonably be shown when further limitations on the hours of work are introduced (provided always that exemptions are limited to the abnormal), the aim should be steadily to tighten up the administration and to reduce exemptions to the smallest dimensions possible. A further principle to which we attach importance is that, if workers are compelled to work in circumstances which involve the grant of an exemption, they should, whenever possible, receive a benefit in a form balancing as closely as possible the deprivation involved in the exemption. Mere monetary compensation does not satisfy this condition; what we contemplate is that, where workers are required to work on the day of rest, they should receive an extra full holiday at an early date. We observe, for instance, that, at any rate in some provinces, workers appear to be deprived of weekly holidays almost as a matter of course in factories working continuous processes, although fortnightly holidays are generally secured. We do not regard the difficulty of providing for relieving shifts once a week, instead of once a fortnight, as sufficient justification for demanding so many consecutive days of work. If, however, it is not practicable to give weekly rest days, two rest days should be required at the end of the fortnight or failing this either a continuous period of rest of 24 hours once a week or of 48 hours once a fortnight. Similar principles can be applied where overtime work is demanded. We desire to add that in future the 60 hour week should be regarded as a limit which is to be exceeded only in most exceptional circumstances.

CHAPTER V.—WORKING CONDITIONS IN FACTORIES.

We discuss in this chapter the remaining questions of importance in connection with working conditions in perennial factories. After dealing with the health, safety and welfare of operatives and the protection afforded to them in respect of these matters by official regulation, we review the general administration of the Factories Act.

I. HEALTH.

Dust and Dirt.

In a number of factories the manufacturing processes disseminate large amounts of dust, arrangements for the elimination of which are frequently defective. Mechanical systems which result in a constant flow of fresh air would add greatly to the comfort of the operative, and would in some cases improve his output. More important is the conservation of the workers' health, for the prevalence of dust may result in pulmonary disease. In certain manufacturing processes, particularly connected with cotton, jute and wool, the reduction of dust to a minimum should be made obligatory. Section 10 of the Factories Act confers ample powers on Inspectors of Factories in this respect and these should be more extensively used. More attention should also be paid to the general cleanliness of factories. Where quantities of dust and fluff are produced, it is important that floors and walls should be regularly cleaned. Periodic white-washing of the interior walls and roofs not only removes collected dust, but helps to improve the lighting. It is difficult to associate efficiency with the grime to be found in some factories. We recommend that, where the rules made by the local Government under Section 37 of the Act do not require the cleaning of factories annually, they should be supplemented in this direction, and that in all cases such rules should be strictly enforced.

Sanitation.

Under the Factories Act, the provision of sufficient and suitable latrine accommodation is compulsory and local Governments have drawn up scales for latrines varying with the number of operatives. Latrine accommodation is not always adequate, and its quality often leaves much to be desired. It is commonly asserted that the Indian labourer, coming as he often does from a village, is unwilling to use sanitary conveniences. Our observations have convinced us that he can be brought to use them without serious difficulty, provided that they are kept in decent order. He rightly refuses to use a latrine whose condition, by the very nature of its construction and supervision, is always filthy. The popularity of the efficient septic tanks, which are a feature of the Bengal jute mills, is only one item of evidence in this direction. This system is to be recommended for areas where the water supply is sufficient. Where the supply cannot be made adequate, recourse must be had to other methods; but every factory should be compelled to maintain separate and sufficient accommodation for males and females, and a staff adequate to maintain the latrines in a state of cleanliness during working hours.

Temperatures.

In nearly every part of India there are long periods when the climatic conditions render physical toil particularly difficult and unpleasant. This is especially true of factory work. In many factories the temperature in the hot weather is higher than that of the air outside; and the air movement is less ; in a number of factories the difference is marked. A large number, probably the majority, of factory owners make no endeavour to mitigate the discomfort, to use a mild word, which the hot weather brings to their operatives. Some factories, indeed, suggest that they might have been constructed by cold weather visitors, for they show little respect for the sun in their orientation and elevation. Apart from the regulations relating to humidification and cooling power in cotton textile mills, there is no official control of temperatures, nor is any such control possible under the present law. Recent experience has indicated that the reduction of excessive temperatures, or the minimising of their effect, is in many cases easier than is generally supposed. Mr T. Maloney in his official report on *Humidification in Indian Cotton Mills* pointed out in 1923 that appreciable reductions could be effected by comparatively inexpensive means, and suggested that reductions would prove profitable to the industry as well as advantageous to the operatives. The white-washing of roofs, the spraying of roofs with water, and the provision of electric fans, or even small devices attached to the shaft, can often be made without undue expense. Some employers have found that these methods have brought a reward not merely in the greater contentment of the operatives, but in improved attention to work and increased production. We consider that there is room for much more work in this direction and recommend to employers a study of what has been done already. We do not, of course, suggest that improvements of this character should be regarded solely in the light of their financial results ; in many cases the operatives have a right to demand that the present conditions should not continue, even if improvements are not likely to be remunerative.

Official Proposals.

It is desirable that, where employers are unwilling to do so of their own accord, there should be power to insist on reasonable measures being taken to reduce excessive temperatures. This has been generally recognised for some time past, but the proposals made by Government have failed to secure approval. In a Bill introduced in 1925 to amend the Factories Act, the Government of India proposed to follow the principle of the British Factories and Workshops Act, and to lay down that a " reasonable " temperature must be maintained in all factories. Inspectors were to be empowered to specify the measures necessary to reduce the temperature to reasonable limits and to enforce the adoption of these methods. This proposal was rejected during the passage of the Bill through the Legislative Assembly ; and it seems to us to be open to criticism on the ground that the expense of reducing temperature to a standard which might be regarded as reasonable for manual work might

be out of all proportion to the benefit conferred on the workers. In 1926 the Government of India introduced another Bill in which it was proposed to prescribe that the temperature should not be injurious to health, and to vest local Governments with the power of prescribing temperature standards. This also met with adverse criticism, and the Government of India accordingly postponed a decision and has so far taken no action.

Suggested Solution.

We do not think that any satisfactory solution can be found which depends on the prescription of standards of temperature and their general enforcement irrespective of the circumstances of particular factories. There are factories where a substantial reduction is possible at a profit to the owner; there are others where the cost of even a trifling reduction might be ruinous. It seems legitimate and reasonable that in most cases regard should be had, not merely to the height of the temperature or of the cooling power (which is the better measure, as it takes account of air movement), but also to both the cost of the measures which can be adopted to improve conditions and the extent of the improvement likely to result from these measures. The aim should be to ensure that, when cooling power is deficient, reasonable measures of improvement shall not be neglected. We think that this can be secured by the following means. Where a Chief Inspector is of opinion that (1) the cooling power in a factory is so deficient as to cause serious discomfort or danger to the health of operatives, and (2) it can be appreciably increased by methods which do not involve an amount of expense which is unreasonable in the circumstances, he should be able to serve on the owner an order requiring the adoption of specified measures within a given time. Against such an order we would provide for an appeal to a tribunal of three appointed by the local Government, the intention being that the Chairman of the tribunal should be an impartial official and the other members representative of employers and employed with a knowledge of the industry. We think it is most unlikely that an experienced inspector would make any unreasonable demand. But an adequate safeguard should be found in the presence of a tribunal which would be able to decide if the order was reasonable, having regard to all the circumstances of the case.

Humidification.

We have been dealing above primarily with factories where the nature of the processes does not necessitate any modification of the natural atmosphere or climate. The case is different where the employer artificially alters the atmospheric conditions. Humidification is employed in India in cotton textile factories and a few cigarette-making factories. In the latter, it does not appear to be carried to an extent which produces discomfort. In the former a high degree of humidity is necessary, and, in securing this, it is possible to cause acute discomfort to the operative. On the other hand, it is possible to raise the humidity and add to the comfort of the operative. The effect depends largely on the

system of humidification employed, and here there has been an encouraging improvement in recent years. Some of the cotton mills which we visited are, in the hot weather, much pleasanter than the outside atmosphere and we understand that those employers who have spent large sums in installing the best cooling and humidifying plants have had gratifying results in production. This improvement has followed, and is to some extent traceable to, the investigation conducted for the Government of India by Mr Maloney. The main object of the enquiry was to devise a reasonable method of controlling the use of humidification, and Mr Maloney suggested a basis, which is being gradually, if slowly, adopted. We received no serious criticism of the solution suggested in the report, and we consider that rigorous action should be taken against those factories where conditions are worst. Side by side with the advanced mills, there are others where the atmosphere in the weaving sheds is almost unendurable, even in the cold weather. There is no justification, except possibly defects in the law, for permitting the continuance of the conditions that prevail in the worst sheds. It was suggested to us in Bombay that the provisions of the Factories Act are not sufficiently elastic to permit of the framing of all the rules that are desirable. This point deserves attention. In particular we note that section 9 appears to contemplate only the prevention of practices definitely injurious to health ; it should also protect the operative from serious discomfort, even where injury to health is not a necessary result.

II. SAFETY.

Reporting of Accidents.

The following table gives the results of the reported accidents in all factories subject to the Factories Act since the definition of " factory " was widened in 1922.

Year.	No. of persons injured.				No. of persons injured per 100,000 employees.			
	Fatal.	Serious.	Minor.	Total.	Fatal.	Serious.	Minor.	Total.
1922 .	191	1,207	5,562	6,960	14	89	409	512
1923 .	197	1,333	5,507	7,037	17	91	391	499
1924 .	284	1,690	8,055	10,029	20	118	565	703
1925 .	263	2,181	9,901	12,645	18	166	662	846
1926 .	270	3,155	11,441	14,866	18	208	753	979
1927 .	242	3,403	12,066	15,711	16	222	787	1,025
1928	264	3,494	12,590	16,348	17	230	828	1,075
1929 .	240	4,389	15,579	20,208	15	283	1,003	1,301

The table brings out the fact that the proportion of accidents to operatives which, prior to 1922, had shown only small fluctuations for a generation,

has risen very rapidly in recent years. Fortunately there is convincing evidence that this rise represents mainly an improvement in the reporting of accidents. All competent witnesses are agreed upon this point and there is substance in the claim of the Chief Inspector of Factories for Bengal that " the increase in the totals year after year is a measure of the increased efficiency of the department in registering factories both new and long established, and is a result of increased inspection staff and rigour in enforcing the provisions of the Act ". The fact that there has been a great improvement in the reporting of accidents has been established by investigation ; it receives independent confirmation from an examination of the statistics of accidents. For the incidence of fatal accidents which, by common consent, are well reported, has shown little variation. On the other hand, the ratio of non-fatal to fatal accidents has risen steadily. There has been no cause at work to increase this ratio except the improvement in reporting, and the fact that the ratio of non-fatal to fatal accidents between 1892 and 1922 was much lower than that experienced in other countries indicated that the reporting of the former was defective. It seems probable that even now a considerable number of minor accidents are unreported, but the standard of reporting has so greatly improved that no rise in the figures comparable to that of the last decade may be expected in the future. It should be added that, while a large measure of credit is due to the inspecting staff for the improvement in reporting, other factors have had an influence, particularly the introduction of the Workmen's Compensation Act, which has given the workers a more direct interest in seeing that accidents do not pass unnoticed.

Actual Increase in Accidents.

Although most of the rise in the incidence of accidents is due to better reporting, it is doubtful if it can all be put down to this cause. It is dangerous to dogmatise where statistics are faulty, but the evidence tends to show that there has been an increase in the risk run by the average operative. A considerable part of the increase in the number of operatives has been due to the increase in the number of small factories, in which the incidence of accidents is usually low. Probably increased efficiency has also had some effect, for a rise in the output per operative (or, what is the same thing, a fall in the number of operatives per unit of output) will in itself increase the incidence of accidents per operative, apart from the increased risk which " speeding up " entails. There is reason to believe that the advance in recent years in the complexity of machinery and processes has been more rapid than the advance in the mentality of the operative. Without seeking to approve the readiness of a few employers to attribute the great majority of accidents to causes for which they are not responsible, we would emphasise the fact that too often the operatives have an imperfect realisation of the risks they run. This is, in part, due to the fact that the majority are brought up without any familiarity with machinery, while the steady expansion of industry necessarily involves the employment of a large proportion of inexperienced workers. In consequence of these and other influences, workers display at times a seeming apathy to danger.

Prevention of Accidents.

For this no quick cure is possible. Better and more general education, improved health and physique, greater discipline in work, and the building up of a more regular factory population would all be valuable. In the meantime, however, much is being done to increase safety, and more still remains to be done. There is no department of work to which Inspectors of Factories have given more attention throughout India in recent years, and if it had not been for their patient and thorough work, the increase in the number of accidents would have been much greater. Generally speaking, inspectors have regarded this as their primary duty, and in those provinces where the staff has not been sufficient to secure adequate inspection in all directions, this branch of their work has suffered least. Their efforts to secure adequate fencing and the enforcement of safety regulations have been coupled with an endeavour to educate the workers. In this some employers have co-operated by the employment of safety posters, and, more rarely, the establishment of a safety committee; but there are other employers who themselves need education. We believe that, in spite of illiteracy, something can be done along the lines of the "Safety First" movement, which has made great headway in the last decade in most industrialised countries. Safety committees should be of considerable assistance in large factories employing a number of skilled operatives. Much could probably be done in such cases by charging a particular officer with the duty of investigating and preventing accidents, and this is one of the many directions in which a special labour officer can give valuable service. In Japan the safety movement started as recently as 1916 with the founding of a Safety First Association. From 1925 onwards two associations, the Industrial Welfare Association and the Japan Mines Association, were together responsible for considerable headway being made throughout Japan in accident prevention. The custom of inaugurating Safety Days and Safety Weeks spread rapidly, until in 1929 it was universal. As a result it is stated that "instead of being only a sporadic agitation, the Safety Week has had a lasting effect as it has almost always been the occasion for setting up a permanent Safety Committee". We are aware of the added difficulties to be encountered when dealing with an industrial population which is mainly illiterate, but we believe that the success of the movement in Japan is not without its significance for India and that considerable advance might be made along these lines, if the idea were adopted in all branches of industry, including railways, with the co-operation of societies and others interested in the welfare of the industrial worker.

Safety Provisions of the Law.

So far as official regulation is concerned, the provisions of the Factories Act, supplemented by fairly elaborate rules in all provinces, appear to be adequate in most directions. Our attention has been called, however, to some apparent defects. In the first place, the Act does not give sufficient power to secure safety in connection with

the working of railways within factories. Few factories have reached such a scale that railways are required to work within their premises, but the Tata Iron and Steel works at Jamshedpur are said to have over 100 miles of such railway line, and there are other factories with shorter lines. The Railways Act can possibly be used in such cases, but we think it preferable that the rule-making power in the Factories Act should be extended to cover the working of means of transport within factories.

Danger from Buildings.

Factory buildings themselves may constitute a grave danger to the safety of operatives. Tragic proof of this was afforded a few years ago when the collapse of part of a mill in Ahmedabad resulted in the loss of 26 lives. Subsequent investigations revealed sources of serious danger in other mills. Factory buildings may be weak from the start, or machinery may be introduced into buildings designed for other purposes, and insufficiently strong to withstand the strain. Again structural alterations may be made without sufficient regard to the safety of the whole, or the working of a factory may result in the disintegration of part of the fabric. Section 18A, which was added to the Factories Act in 1922, gives inspectors power, in cases of danger, to require managers to carry out any measures necessary to remove the danger, and could be used to secure the strengthening or dismantling of part or all of the building. But it is not ordinarily possible for an inspector, who is not a structural expert and is in any case precluded from carrying out structural tests to detect sources of danger with certainty.

Control of Construction.

(a) *With a view to safety.*

Proposals were made to control the construction of factory buildings, by prohibiting the use of buildings as factories before the plans had been passed by a responsible authority as suitable for the purpose. Such control would be exercised in the interests both of safety and of health, for factory work is too often started in buildings which are difficult to ventilate or are unhealthy in other respects. The Government of India apparently approved of the principle, but regarded the question as a proper one for local legislation. Though some of the local Governments favoured and, indeed, advocated the proposal, none has as yet attempted to embody it in legislation. So far as safety is concerned, we consider that a scheme submitted to us by the Chief Inspector of Factories of the Bombay Presidency would operate smoothly and efficiently and recommend its adoption. This involves the submission of a proper certificate of stability before working is commenced in larger factories and the grant to local Governments of power to demand such certificates in smaller factories as need arises. A similar procedure should be followed where important structural alterations are made. At the same time inspectors should be empowered to secure the carrying out of structural tests and to obtain such plans and other information as are necessary to measure the safety of l

(b) *With a view to health and comfort.*

So far as health and comfort are concerned, we see no objection in principle to local Governments having power to prevent the starting of factory work in buildings which are defective in design from this point of view, *e.g.*, buildings provided with inadequate means of ventilation, or insufficient protection against excessive heat. Employers, however, are paying much more attention than formerly to sound principles of factory construction. Further, the submission of complete plans to local Governments and their examination by experts in respect of ventilation, comfort, etc., would ordinarily give rise to serious delay, and in some cases it would be difficult, even for experts, to say from plans whether a particular building would, in actual working, be detrimental to the health and comfort of the operatives employed in it. We think that, if an endeavour is made to bring the requirements of the Act to the notice of intending factory owners and to warn them that these will be enforced, this should ordinarily be sufficient for the purpose. We suggest, however, that where an employer is willing to submit his plans for examination from the point of view of health and comfort, the authorities concerned should be prepared to give advice and to accord approval where this is justified.

III. WELFARE.

Need for Greater Uniformity.

In the course of our tours, we endeavoured to visit as many factories as possible, and we were impressed by the great contrasts which they presented. There are factories which would compare favourably in lay-out, cleanliness, atmosphere and general well-being with any factories in the world ; there are others in which the welfare of the workers is almost entirely neglected. Even within the same industry in a single centre, there are often marked contrasts ; and the example shown by some employers seems to have little effect on others. Fortunately for the majority of the operatives, the larger factories are, on the whole, better than the smaller ones, and there has been a marked general advance in recent years. This has been due, partly to a growing realisation by owners and managers of the importance of promoting the health and comfort of their operatives, and partly to an increasing unwillingness on the part of the operatives to tolerate unpleasant conditions. Both these influences are bound to gain in strength, and it is want of knowledge rather than unwillingness which prevents some factory owners from introducing further improvements. What is now required is some method by which the more backward employer may be brought at least up to the general level which has already been surpassed by the more enlightened and progressive employers. We do not here contemplate the inauguration of any new principle but rather the consolidation and extension of the principle already underlying those clauses of the Factories Act which deal with the general health, safety and welfare of the operatives. Circumstances necessarily vary in different centres and different industries, and it is expedient that, rather than overload an Act which is

now general in its content and application, there should be a statutory method by which local Governments can secure a uniform minimum standard of welfare where the nature of the processes carried on or the special conditions and circumstances of employment demand it.

Welfare Orders.

In this regard we have been impressed by the value of the Welfare Orders made by the Factory Inspection Department of the Home Office in Great Britain under Section 7 of the Police, Factories and Miscellaneous Provisions Act of 1916. These Orders have increased the happiness and well-being of the workers in the industries affected, while securing and retaining the co-operation and goodwill of the employers. We therefore recommend that local Governments be empowered under the Factories Act to issue Welfare Orders to classes or groups of factories where, as already indicated, the circumstances warrant. At this stage we do not wish to set out in detail what is to be comprised in the term "welfare", but would leave this to the Central Government in drawing up the necessary amendment of the Act. The type of welfare we have in mind covers such matters as washing facilities, ambulance and first-aid requirements, arrangements for taking meals and allied matters, with a few of which we proceed to deal in greater detail. We further advocate that, in the event of any dispute as to the reasonableness of the requirements set out in the draft Order, there should be authority for the matter to be laid before a Referee selected according to rules made under the Act. We contemplate that resort to such action will be a rare occurrence, as we visualise the passing of Welfare Orders by local Governments only after discussion of the matters contained therein between the Chief Inspector of Factories and representatives of the industries affected, and, as a result, the reaching of a large measure of agreement before the Orders are finally issued. Such Orders would be administered by the factory inspectors in the course of their ordinary duties and it would also be through them that the initial researches, prior to the drawing up of the draft Orders, would be made by the Chief Inspector of Factories with the consent and approval of the local Government.

First Aid.

In some provinces the larger factories are required by rules made under the Factories Act to maintain first-aid appliances, but the practice is by no means generally enforced, even in the larger factories. We recommend that, in the case of all factories where mechanical power is used, a first-aid box of prescribed standard, which need not involve any great outlay, should be provided and maintained in proper condition in an accessible place and that, in the larger factories employing 250 or more persons, additional boxes be maintained in the different departments according to the number of workers employed, on a basis to be laid down by local Governments. Steps should be taken to ensure that there are persons on the staffs of the different departments in every large factory capable of utilising the appliances in the proper manner in case of need.

Water.

The Factories Act requires a sufficient supply of suitable drinking water, and many employers realise the importance of providing a liberal amount of cool and pure water; but standards in this respect vary considerably. Wherever possible, a piped supply should be made available with an adequate number of taps, but care should be taken to protect the pipes from heating by the sun or other agency. Where a piped supply cannot be secured, the water is best stored in large earthenware vessels at fixed places in the factory, where it can be distributed by watermen, but care should be taken to prevent contamination and the possible diffusion of disease. The provision of suitable washing facilities for all employees is very desirable, and here many factories are deficient. The workers who live in crowded areas have inadequate facilities for washing at their homes and bathing facilities would add to their comfort, health and efficiency. We recommend that for workers in dirty processes (*e.g.*, tanneries) the provision of washing places and water should be made obligatory.

Creches.

Creches are not uncommon in factories employing women, and some we saw were admirably staffed and equipped; others, if better than nothing, still left much to be desired; yet others were both dirty and inadequately furnished. In many of the factories employing women in substantial numbers, no creches have been provided, and this is particularly true of the Bengal jute mills, where caste feeling and the reluctance of women to leave their young children were stated by some witnesses to create serious difficulties. As a result of their absence, infants are taken into the mills and can be found lying on sacking, in bobbin boxes and other unsuitable places, exposed to the noise and danger of moving machinery and a dust-laden atmosphere, and no year passes without a certain number of serious and minor accidents, and sometimes even of deaths, occurring among such children. It is important that creches, when first opened, should be well-furnished and properly supervised. If suitable women are placed in charge, and short periods of absence from work at necessary intervals are granted to the nursing mothers, we believe that gradually the initial prejudices and diffidence of the women could be overcome. Nor must it be thought that the introduction of a creche involves heavy expenditure. Experience in the textile industry of the Bombay Presidency has shown that the essential requirements of a good creche containing 20 cradles is a room of about 600 square feet with washing and latrine accommodation, supervised by a trained woman and an assistant *ayah*. This can be run on an initial outlay of Rs. 500 and a recurring monthly expenditure of Rs. 150, an estimate which includes the supply of milk, clean clothes, small medical necessities and salaries. A somewhat less ambitious scheme of a similar size can be carried out at a slightly lower initial cost and at a recurring expenditure of only Rs. 100 a month. Representatives of the Indian Jute Mills Association appearing before us showed sympathy with the idea and agreed to give it serious consideration. In the cotton mills of Bombay Presidency creches

have been more extensively introduced than elsewhere, and their comparative success is probably due in great part to the fact that the woman factory inspector employed there has devoted special attention to their provision and inspection, and to the education of the women workers in their use. The Government of India, women doctors and representatives of women's associations all stressed the importance of the provision of creches where an appreciable number of women are employed, and the bulk of employers, although preferring voluntary to compulsory schemes, also favoured their inauguration. We recommend that creches should be provided in all places where women are employed in considerable numbers, and we would make the obligation a statutory one in all factories employing not less than 250 women. Children up to the age of 6 years should be admitted to such creches because, under present conditions, it is difficult to prohibit the presence in factories of those between 6 and 12 years when younger children and infants are admitted. This statutory requirement could be embodied in the Factories Act, power also being given to Governments to require the establishment of creches in places employing fewer women than 250 where, in their opinion, the circumstances warranted it. The organisation and inspection of factory creches should be one of the duties of the women factory inspectors whose appointment in the industrial provinces we have recommended elsewhere. The creches might with advantage be linked up with the women's and children's welfare centres referred to in the chapter dealing with the health and welfare of the industrial worker, but this is a matter which could best be arranged by employers themselves.

Refreshment Sheds and Canteens.

Some employers provide lunch sheds and the practice might be adopted more generally. Where there are good trees in the factory compound, these provide a more pleasant place for a meal than a shed, but many compounds are treeless and, in any event, a shelter is needed in wet weather. In many mills we were struck by the lack of suitable places for this purpose and the number of operatives to be seen taking meals in all kinds of uncomfortable places. Caste creates an additional complication, but this is by no means insurmountable, as has been proved in a number of cases. The provision of some shelter where rest and refreshment can be taken is in many cases necessary and, moreover, would be generally appreciated by the workers. Similarly the provision of canteens might be considered in the case of the larger factories. These need not be elaborate in structure or equipment, and should not involve any very heavy initial outlay. In the course of our tours we came across several successful experiments in this direction. In one instance a Brahmin cook had been installed in a kitchen attached to a factory mainly employing skilled and semi-skilled workers, and the stimulus given by the management to the taking of substantial refreshment in the mid-day break was stated to have contributed to the well-being of the workers and to have had an encouraging effect on output. Similarly in one or two cotton mills in different parts of India small canteens for the supply of light refreshments and drinks, both hot and cold, had been installed for

Hindus and Musalmans and the extent of their use showed that they supplied a need and were appreciated by the workers. We recommend that the possibilities in this direction be examined with a view to a wider adoption of amenities of this kind.

IV. ADMINISTRATION.

The Inspectorate.

We turn now to the question of the enforcement of the Factories Act. The main responsibility for inspection rests on the whole-time inspection staff, the strength of which in 1921 and 1929 is shown in the following table :—

Province.	1921.				1929.			
	Chief Inspectors.	Inspectors.	Asst. Inspectors.	Total.	Chief Inspectors.	Inspectors.	Asst. Inspectors.	Total.
Bengal ..	1	5	..	6	1	6	3	10
Bihar and Orissa ..	..	1	..	1	1	1	..	2
Bombay ..	1	4*	..	5*	1	10	..	11
Burma ..	..	1	1	2	1	2	..	3
Central Provinces ..	..	1	..	1	1	2	..	3
Madras ..	1	2	..	3	1	4	1	6
Punjab ..	..	1	1	2	..	1	1	2
United Provinces.	..	1	..	1	1	1*	..	2*
Total ..	3	16	2	21	7	27	5	39

* Approximate figure; staff is, or was, combined with the boiler inspection staff.

Assam, where the number of non-seasonal factories is very small, has appointed an inspector since 1929. Previously it made a contribution to the maintenance of the Bengal staff, which was responsible for inspection in Assam also. Of the minor provinces the North-West Frontier Province, Delhi and Ajmer-Merwara are under the charge of the Inspector of Factories for the Punjab, Baluchistan has a technical officer who combines the inspection of factories with other duties, while the few factories in Coorg and Bangalore are inspected by non-technical part-time officers. As the table indicates, there has been a gratifying increase in the inspection staff in the last decade. The increase in numbers in the permanent inspectorate is approximately proportionate to the increase in the number of factories subject to the Factories Act, which

stood at 4,059 in 1921 and 8,129 in 1929. Most of the latter increase represents small factories, and many of them work only for short seasons, so that in numbers the staff, if not completely adequate, is more so than was the case in 1921. So far as quality is concerned, we are happy to report that this has been more than maintained since the constitutional reforms of 1920. We were impressed by the enthusiasm and the capacity which the inspectors bring to their difficult task and we are satisfied that the standard of enforcement of the Act has risen steadily, in spite of the constantly increasing complexity of factory administration which has resulted from the expansion and development of industry and the changes in the law.

Enforcement of the Factories Act.

In most provinces the great majority of the permanent factories are inspected at least once a year, the more important factories receiving two or three inspections. In some provinces, notably Bombay, Madras, the Punjab and the Central Provinces, the staff has proved equal to inspecting nearly every factory, perennial and seasonal, at least once a year. We show below the number of persons convicted under the Factories Act in each major province and the minor provinces, together with the average number of operatives in each province throughout the period.

Province.	Persons convicted.				Average number of operatives.
	1921-23.	1924-26.	1927-29.	Total 1921-29.	1921-29.
Assam	..	..	8	8	38,000
Bengal	33	145	203	381	541,000
Bihar and Orissa	7	4	10	21	69,000
Bombay	41	211	211	463	365,000
Burma	24	56	98	178	96,000
Central Provinces	113	100	164	377	65,000
Madras	50	224	329	603	124,000
Punjab	68	67	173	308	50,000
United Provinces	14	19	70	103	80,000
Minor provinces	1	16	44	61	28,000
Total	351	842	1,310	2,503	1,457,000

Control of the Inspectorate.

As the table shows, in the leading provinces there has been a steady increase in the number of prosecutions and this corresponds with increasing improvements in administration. In only two provinces is the number of prosecutions markedly low—Assam and Bihar and Orissa. In the former case, owing to peculiar local difficulties which are discussed elsewhere, many factories have been uninspected each year. In the

latter case, the infrequency of prosecutions appears to reflect the policy of the provincial Government. We found no reason for believing that conditions in Bihar and Orissa, as compared with other provinces, justified particular leniency in the matter of the administration of the Act, and we recommend that in this province greater rigour be shown in the future in this respect. In some provinces the Chief Inspector of Factories is subordinated to the Director of Industries. We consider this an undesirable arrangement, as the Director of Industries is naturally expected by employers to assist them to the utmost of his ability. The factory inspection staff, on the other hand, exists primarily for the protection of labour. While it is not desired to reflect in any way on the manner in which Directors of Industries have carried out the difficult duty imposed on them, we think that this duty should be transferred to an authority more independent of employers. We discuss the appropriate authority in a later chapter, but we should add here that the system of giving the Director of Industries responsibility for factory administration does not prevail in any of the three Presidencies or in Burma (where there is no Director) and these provinces contain the great majority of the factories. We understand that, in some cases, control is or has been exercised over the Chief Inspector of Factories in the matter of individual prosecutions. We recognise that the executive government must retain the power to lay down broad lines of policy; but we desire to emphasise the fact that, if an officer is fit to fill the responsible post of Chief Inspector, he must be fit to decide generally when a prosecution is required. In any case it is most important that he should not be required to submit proposals for individual prosecutions to another authority.

Part-time Inspectors.

In addition to the regular factory inspection staff, with which we have been dealing in the preceding paragraphs, there are many other officers who exercise powers as Inspectors of Factories. All District Magistrates are *ex-officio* inspectors. In addition, local Governments have empowered various other officers as inspectors, including a number of sub-divisional and other magistrates, and, more rarely, medical officers. On occasion, a few of these officials have displayed some energy in factory inspection, but, generally speaking, the amount of assistance given by them to factory administration has been small, and such work as they do is not always well directed. So far as non-technical officers are concerned, we believe that it is generally a waste of time for them to attempt inspections in perennial factories. It is occasionally possible for them to save the time of a regular inspector by visits to small factories lying far from important lines of communication; but ordinarily the adequate inspection of a perennial factory requires expert technical knowledge. On the other hand we consider that, if new methods are adopted, part-time officers could do most valuable work in connection with seasonal factories, and we develop this point in the chapter dealing with these. In the meantime, it is sufficient to observe that, in estimating the staff required for the inspection of perennial factories, the contribution that can be made by such officers must be ignored.

Medical Inspectors.

The case of medical officers stands on an entirely different footing. The medical officer, like the regular inspector, is technically qualified. Further, he has qualifications which the regular inspector lacks, but which are necessary to complete the proper inspection of factories. Many of the questions which arise in connection with factory administration require medical knowledge, and with the growing complexity of Indian industry, the need for this knowledge increases. It is in the larger factories that the need for inspection from a medical point of view is greatest; but there are few factories where some medical supervision is quite unnecessary. We recommend that in every province there should be one officer with medical qualifications appointed as an Inspector of Factories, who should be primarily responsible for inspection from the medical standpoint. In the less important industrial provinces, where there may not be work for a full-time officer, an assistant of the Director of Public Health could undertake these duties. In the chief industrial provinces there is ample work to justify the appointment of more than one such medical inspector. There are, for example, two medical officers already employed as certifying surgeons in the Hooghly area, and the duties of certifying surgeons might be combined with those of medical inspection. While the medical inspectors might exercise the full powers of an inspector, and need not be precluded from giving attention to points lying outside their particular sphere, they would ordinarily be responsible only for the health of operatives. Where the medical inspectors and certifying surgeons are separate officers, the latter should also be empowered as inspectors. The delimitation of the duties of the medical inspector would be a matter for the Chief Inspector of Factories and the Director of Public Health to arrange; such matters as sanitation, ventilation and the purity of the atmosphere would naturally receive their special attention, and there is great need for systematic investigation into a number of questions related to the health of factory operatives, including industrial disease.

Recruitment of Inspectors.

The possession of good engineering qualifications has generally been regarded as a *sine qua non* for appointment as factory inspector, and, owing to the paucity of Indian candidates with the qualifications required, the majority of factory inspectors have hitherto been British. The number of Indian students taking up engineering is increasing steadily, and it should not be difficult to attract suitable candidates at reasonable rates of pay. We would observe, however, that factory inspectors are made chiefly by experience in that capacity. The highest initial qualifications do not make an officer a competent factory inspector from the start; on the other hand a candidate of character and energy, even if his technical qualifications are not of a high order, can generally become competent after training. The recent tendency in Great Britain, which has always led the way in factory inspection, has been to rely more on character and training and less on technical, *i.e.*, engineering, qualifications than in the past. A move in this direction in India would

widen the choice of candidates without impairing efficiency. We consider that the Bengal system of engaging officers as Assistant Inspectors on lower scales of pay than those for Inspectors and with limited functions is a good one, and with increasing regulation this is a practice which, as we indicate subsequently, might be more widely adopted in future. Provided that a competent officer is assured of promotion to the higher grade, we believe that it would not be difficult to attract suitable young Indians with some technical training to such a grade in all provinces.

Women Inspectors.

On more than one occasion in the past, attention has been directed to the need of women inspectors. So far, only one such appointment has been made, namely, in the Bombay Presidency. This officer has been largely employed in connection with the inauguration and inspection of creches in cotton mills and other factories employing an appreciable number of women, and her appointment has been instrumental in persuading a number of employers voluntarily to adopt welfare efforts of this kind among their women workers. The Indian factory worker is just beginning to realise the significance for himself of the factory inspector, and even now, owing to his lack of organisation and illiteracy, complaints made by workers direct to the inspectorate are few. Women workers are in this respect even less advanced than men, and are generally reluctant to address male officers. Moreover many of the special, yet remediable, disabilities from which they suffer will only come to light with the appointment of women inspectors. This was found to be the case in older industrial countries and must inevitably be so to an even greater extent in India, where almost every employed woman is married and of child-bearing age, and where social and other customs make the position of the woman worker less secure than in the West. The successful inauguration, as well as the adequate enforcement, of laws and welfare orders specially bearing upon the welfare of women and children such as those relating to maternity benefits, creches, etc., call for the services of trained women inspectors, and we are confident that in India, as in Great Britain, their appointment has only to be made to prove its justification. Nor need the work of women inspectors be confined entirely to women and children. There are a number of other duties falling upon factory inspectors (*e.g.*, the checking of hours of work) which they could adequately discharge. Witnesses have suggested more than once that such women should invariably be medically qualified, and we understand that the Central Government also adopted this view. There are a number of excellent reasons for this suggestion, but no hard and fast rule to this effect should be laid down in the first instance. Consideration should be given to the selection of women with either medical degrees, or public health or social service diplomas and, if possible, also possessed of some years' practical experience in public work. We recommend that such women should be of Indian domicile and not younger than 25 years of age, and their remuneration should be on a scale calculated to attract and to hold the type of woman required for work which will

necessitate initiative, resource and self-reliance, and in the first decade at least, no small measure of pioneering enterprise. We are convinced that, with the creation of such posts and the prospect of adequate remuneration and secure status, the right type of candidate will be forthcoming. The appointment of one such woman in every province is desirable; but, in the event of this not being immediately practicable, we recommend their appointment forthwith in Bengal and Madras, and the appointment of part-time women officials in those provinces where the number of women and children employed in regulated industries is smaller. It is to be hoped, however, that such part-time service will be for a limited period only.

Strength of the Inspectorate.

Many of these proposals involve an addition to the work of the factory inspectorate. Proposals follow in respect of docks and other classes of factories which will enlarge the field for which they are responsible. On the other hand, the adoption of some of our proposals, and in particular those which are made regarding the inspection of seasonal factories, should set free a considerable part of the time of the permanent inspectors for duties in connection with perennial factories. The addition of medical inspectors and of women inspectors should be of substantial assistance, in spite of the fact that a considerable part of the work of these officers will be work which at present is necessarily left largely undone. In advising regarding the proper strength of the staff, we must observe that it is difficult to fix an upper limit beyond which the appointment of extra inspectors would be useless. There is a wide scope for further work, if inspectors were available to do it, and it is certain that no province has reached the limit at which additional inspectors could not be employed with valuable results. At the same time we believe that, provided medical and women inspectors are appointed as recommended, it might be possible, except in one or two provinces, to avoid the necessity of appointing any additional fully qualified inspectors at the present time. This view is dependent on the adoption and successful working of the system advocated later for the inspection of seasonal factories and those factories which are at present unregulated. In the United Provinces, boiler inspection should be undertaken by a separate staff and we recommend that in future these two classes of inspection should invariably be distinct. Delhi and Ajmer-Merwara are at present under the charge of the Inspector for the Punjab, who is also responsible for the North-West Frontier Province. This is too large an area for adequate supervision by one officer, and we accordingly recommend the separation of Ajmer-Merwara and Delhi and the appointment of a separate officer for this area. Elsewhere, and particularly in Burma and Bihar and Orissa, there is room for the appointment of Assistant Inspectors of the type indicated above. We must, however, emphasise the fact that our conclusions on this question are based on the assumption that the inspectorate will be kept up to the sanctioned strength throughout the year. It has happened in the past in more than one province that inspectors

have been allowed to go on leave, possibly for the greater part of the year, without any suitable appointment being made in their place. In no province is the present staff sufficiently strong to permit of this being done, even under existing conditions. Leave vacancies would be best filled by promoting Assistant Inspectors, if they are competent, to officiate in the higher grade and appointing probationary officers in their place. If no Assistant Inspector is available, the work cannot be carried on without a temporary Inspector, and the fact that these will ordinarily be difficult to obtain furnishes an additional ground for the general appointment of Assistant Inspectors.

Conferences of Inspectors.

The last conference of Chief Inspectors of Factories convened by the Central Government took place in 1924 under the chairmanship of the Member for Industries and Labour. Since then no conference, other than an informal one held in 1927 between the Chief Inspectors of the Bengal and Bombay Presidencies, appears to have taken place. The Factories Act applies to the whole of India and, with the present lack of co-ordination, methods of administration display differences which are not justified by conditions, while useful experience gained in dealing with a problem in one province is not made available for those facing it in another. We recommend that, in the interests of uniformity and efficiency of administration, biennial conferences of Chief Inspectors from all provinces should be convened and held under the auspices of the department dealing with labour in the Central Government. Such conferences should be equally valuable to the central and provincial Governments, not only in considering the adequacy of current legislation and the problems created by its enforcement, but also in matters such as the uniform compiling of statistical and other returns. With the extension of regulation, similar conferences of all grades of factory inspectors and of as many *ex-officio* inspectors as possible should be held at intervals of about two years in the different provinces. This would be of especial value where reliance must of necessity be placed to a considerable extent on part-time officers not working under the immediate control of the Chief Inspector, and where increasing regulation tends to result in an increasing decentralisation of administration.

Work of Magistrates.

There is abundant evidence to show that the difficulties in the way of efficient administration of the Factories Act are greatly enhanced by defects connected with the conduct of prosecutions. The Act itself provides adequate penalties for offences and the scale of maximum fines was enhanced by the Legislature in 1922. It also provides that nearly all offences against the Act are to be tried by magistrates of the highest class. The clear intention is that cases under it should be entrusted only to experienced magistrates. Unfortunately, offences, particularly in smaller centres, frequently come before magistrates with little or no special experience of the kind required, and the results show too often an imperfect grasp of the principles of factory law. In the majority of provinces, there are numerous cases of inadequate fines, particularly for repeated offences;

not infrequently the fine is smaller than the profit made by the offender out of the offence. On occasion Governments have drawn the attention of magistrates to the importance of adequate fines, and one High Court issued a circular on the question. We consider that more use should be made of the power of appeal to the High Court against inadequate sentences. One or two striking cases should be brought before the supreme court of a province, whose action would probably serve as a useful guide to subordinate courts. In Bengal, where there is good ground for complaint on the score of inadequate fines, the Government, although joining in the complaint, seems to have made little or no use of the possibilities of appeal. In every district, all factory cases should go before experienced magistrates and, where possible, the same magistrate. In the larger centres, it should be possible always to appoint a magistrate with some previous experience of the subject.

Defects in the Law.

At the same time defects in the law are partly responsible for the present deficiencies. Unlike the British law, the Indian Act contains no special provisions relating to second offences. It seems, indeed, doubtful if evidence of previous convictions can be led, and the absurdly inadequate punishment meted out to hardened offenders is probably due in some cases to the fact that the magistrate was not in possession of the offender's record in respect of the Act. We consider that the law should be amended in two directions. In the first place, it should be possible to adduce evidence of any previous convictions of the accused under the Act after conviction and before sentence, as such convictions are in most cases very relevant in determining the appropriate sentence. In the second place, the Act should provide that, where a second offence is proved against the same accused within a period of two years from the last conviction for an offence in the same category, the fine should not be less than one-fifth of the maximum penalty possible, and for a third or subsequent offence, not less than one half. In order to meet the possibility that extreme hardship might result from such a provision in an exceptional case, it might be provided that the magistrate may, for reasons to be recorded in writing, reduce the fine below these limits in exceptional circumstances.

Conduct of Prosecutions.

At present the position of the factory inspector in prosecutions seems to be open to doubt. He is ordinarily the complainant and he is generally the principal witness. Some courts allow him to act, formally or otherwise, as prosecutor and to examine other witnesses; others regard this as not in accordance with the law. In important cases counsel can be and are engaged by Government, and this practice is to be encouraged; but in smaller cases, when the Inspector is not allowed to conduct the prosecution, there is either no prosecutor, or the prosecuting inspector may be employed. The latter is a police officer, and the majority of officers of this class have no experience of factory cases. Chief Inspectors in all cases and other factory inspectors, when authorised by the local Government, should be competent to act as prosecutors, and we recommend that this be laid down in the relevant Act.

CHAPTER VI.—SEASONAL FACTORIES.

Seasonal Industries.

We turn now to the special problems presented by seasonal factories, *i.e.*, those places, mainly employing power machinery, open for a part of the year only, and concerned for the most part with the handling of a particular crop as it becomes available. The statistics hitherto maintained in respect of factories have not distinguished between perennial factories and seasonal factories. We have made efforts to collect statistics but, owing partly to ambiguity in the definition of seasonal factories, it is impossible to give precise figures. The position, however, is fairly well indicated in the attached table for 1929, subject to the remarks appended.

Industry.	Number of factories.			Number of operatives.		
	India.	Burma.	Total.	India.	Burma.	Total.
A.—*Predominantly Seasonal.*						
Cotton ginning and pressing ..	2,149	27	2,176	136,666	3,321	139,987
Tea factories ..	934	..	934	63,064	..	63,064
Jute pressing ..	115	..	115	37,300	..	37,300
Others	280	7	287	11,368	276	11,644
Total (A) ..	3,478	34	3,512	248,398	3,597	251,995
B.—*Partially Seasonal.*						
Rice mills	998	608	1,606	36,529	39,685	76,214
Oil mills	219	25	244	10,258	1,237	11,495
Gur and Sugar factories	44	1	45	14,726	350	15,076
Tobacco factories ..	16	..	16	9,922	..	9,922
Others	238	17	255	21,738	926	22,664
Total (B) ..	1,515	651	2,166	93,173	42,198	135,371
Total (A) and (B) ..	4,993	685	5,678	341,571	45,795	387,366
C.—*Perennial.*						
Textiles	455	3	458	695,745	667	696,412
Engineering and Metals	806	65	871	295,068	19,597	314,665
Others	899	223	1,122	122,708	32,018	154,726
Total (C) ..	2,160	291	2,451	1,113,521	52,282	1,165,803
Total (A), (B) and (C)	7,153	976	8,129	1,455,092	98,077	1,553,169

N.B.—"India" denotes British India excluding Burma.

We have divided all the factories into three classes. In the first class we have placed factories belonging to groups which are entirely, or almost entirely, seasonal. Thus all the cotton-

factories are strictly seasonal, and constitute much the most important group. The same is true of the great majority of jute presses and of nearly all the factories shown in this class under "others". These include indigo, lac, coffee and rubber factories, factories engaged in ground-nut decorticating and one or two others. Of the tea factories, those in North India (constituting over 90 per cent. of the total number) are strictly seasonal; the South Indian factories work nearly all the year round. Some factories in this group, and especially many of the ground-nut decorticating factories in Madras, deal with more than one product at different seasons. In the second class we include factories falling in groups which are mainly seasonal, but which include a number of perennial factories. Some groups are mainly seasonal in one province and mainly perennial in another. The big group here is the rice mills, which vary from small mills working short seasons to large and virtually perennial factories. The group "others" includes flour mills, tile and brick factories, ice and aerated water factories and a few others. As a rule, the season tends to be longer in this than in the first class and may extend to the greater part of the year. The third class includes the essentially perennial factory industries. The precise number of seasonal factories thus depends on the definition of "seasonal", and even when a definition has been adopted, exact figures cannot be given. We deal with the question of demarcation later, and can merely attempt a very rough estimate here. Taking as the definition of a "seasonal" factory one which normally works for not more than half the days of the year, we estimate that, of the 8,000 odd factories at present registered, rather more than half are seasonal. On the same definition, possibly 300,000 workers are engaged in the seasonal factories.

General Characteristics.

In the paragraphs which follow, we endeavour to indicate the more important characteristics of work in the leading groups of seasonal factories. The main feature of nearly all the industries is that the workers are still essentially agriculturalists, and the great majority live in their village homes. The degree of skill required is seldom great and the proportion of women employed is fairly large. The factories are not concentrated, but are naturally scattered over the areas producing the crops with which they deal. The small-scale factory is the rule and the large one the exception. The workers are generally quite unorganised and wages tend to be low.

Cotton Ginning and Pressing.

As the table indicates, cotton ginning and pressing factories form much the most important group. These factories are all strictly seasonal and are found mainly in Bombay, the Central Provinces, Madras, the Punjab, the United Provinces and Ajmer-Merwara. The length of the working period varies, being little more than 2 months in some areas, and running at times to 7 months in others. Cotton is ginned in some provinces in India in every month of the year; in North

India the season is at its height between December and March. Men and women are employed on ginning in about equal proportions. Boys are engaged on sweeping and odd jobs, but girls are only occasionally employed. The labour is predominatingly local; it comes from surrounding villages, returning home at night, and is employed directly by the owner or lessee of the ginnery. In some cases, however, particularly in the Punjab, a labour contractor is employed who takes on workers by the day. Many of these people move at will from ginnery to ginnery or from press to press throughout the season, even in districts where the wages are practically standardised. In other districts, notably in Madras, sometimes as many as three-quarters of the workers are in the employ, not of the owner or lessee, but of the merchant or contractor whose cotton is being ginned. This position has been known to cause difficulties in the observance of the Act since factory owners, accused of breaking the regulation in respect of hours, plead that the persons properly responsible are the direct employers of the men.

Tea Factories.

In North India the work in the tea factories is seasonal; the factories do not work in the cold weather, and, even in the season when they are open, the work is intermittent. In good weather the flush of leaf usually necessitates a period of heavy pressure with resultant overtime. In bad weather less leaf is plucked and manufacture accordingly decreases. Men are employed on general maintenance work, as boiler attendants, engine drivers, despatchers, etc., as well as on the manufacturing processes of withering, rolling, drying and fermenting. Women are employed in small numbers, mostly in cleaning and picking over the manufactured tea after it has been graded. These factories are exempt from the rest period, the weekly holiday and adherence to specified hours, but, in order to allow of irregular rest periods, the number of workers employed must be 25 per cent. greater than the number necessary to do the work at any given time. No one may be required to work for more than 14 days at a time without a whole day's leave. All workers are selected from the ordinary plantation population, with the exception of skilled men engaged on machinery. In the case of the women, some plantations employ many who are either pregnant or have just returned to work after child-birth, or women who are convalescent after illness, in order to allow of their being employed temporarily in a sedentary occupation.

Rice Milling.

Rice milling is mainly carried on in Burma, Madras and Bengal. In Burma it is the main factory industry and here the bulk of the mills are strictly seasonal. The number of factories working in 1929 was 608 employing about 40,000 persons. In Madras and Bengal the number of persons employed in 1929 was 16,500 and 12,500 respectively. In both Presidencies rice mills are not strictly seasonal, but they do not as a rule remain open throughout the year, their working being regulated by the demand for milled rice which varies according to trade fluctuations. Both raw or 'sunned' and parboiled rice milling are carried on, but the

latter is the commoner process. Here the paddy is first steamed, then soaked in large vats, after which it is strained off and again steamed until the husk bursts. It is then spread on specially prepared drying grounds and exposed to the sun. When dried it is dehusked, polished and cleaned, by which time it is in a marketable state and ready for bagging. In Burma, Indian male labour is largely employed, and we deal in a later chapter with the complicated system of recruitment which characterises the industry in that province. In Madras and Bengal men are employed on the machine processes and on the heavy work of weighing, bagging, etc. Some of the bigger mills in Madras employ a permanent staff on a monthly basis for the machine work, but normally the only persons paid on a salaried basis, apart from the manager, are the firemen and *maistries* who maintain the plant. The bulk of the male labour is engaged through *maistries* or contractors, and may move from mill to mill as work offers, often returning to their villages at harvest or other times. Women are employed on the drying process, spreading and turning the rice and also on occasions removing the rice from the hullers and winnowing bran; they are almost invariably recruited from the surrounding villages and are paid on a time-rate basis either daily or weekly. In the Madras Presidency it is common for the occupier to maintain the salaried staff and to let out the mill on the hire system to merchants who mill their own paddy with the help of the workers in their direct employ.

Jute Presses.

In the case of jute pressing, which is virtually confined to Bengal, a distinction must be drawn between the Calcutta presses and the others. The latter are entirely seasonal and for the most part pack bales of 3 to 4 maunds for home consumption, although some in Narainganj and Chandpur pack 5 maund bales for export. Anything from 50 to 75 per cent of the workers are employed from surrounding villages, the remainder coming mainly from Bihar and Orissa, the United Provinces and even the Punjab. Those employed locally return nightly to their homes, the others being housed mainly in rent-free coolie lines built by the firms. The season extends from July to December or perhaps later, after which the workers disperse to follow their normal agricultural pursuits. All labour is employed and paid through contractors, who undertake the work at a fixed rate per bale. Those employed from the locality are obtained through the offer by the contractor of small advances ; those obtained from distant provinces are recruited through contractors' sardars, who give more substantial advances. The Calcutta presses, although they have a busy and a slack period, and to that extent are seasonal, are mostly open intermittently throughout the year. The buildings as a general rule are rented by the owners to jute balers who, in return, pay an agreed rate per bale. This rate is fixed to cover the rent of the godowns in which the jute is stored and assorted and all charges for baling and exporting. The bulk of the labour employed, which comes mainly from outside Bengal, is engaged in carrying the heavy jute bales. Skilled labour is employed in the assorting and pressing operations. The workers fall into three categories—carriers in the

employ of the labour contractor, assorters in the employ of balers and press hands in the employ of the press house owner. All three classes, therefore, may claim a different employer and, moreover, are paid on a different system. The carriers are paid fortnightly by the contractor on a time-rate basis, obtaining advances against wages when necessary from their sardars. The labour in the employ of balers is paid on piece rates, vouchers for work done being cashed as and when the worker pleases. The press house staff, the only labour which can be characterised as permanent, is paid by the month.

Special Treatment of Seasonal Factories.

Prior to 1922, seasonal factories were given a great deal of latitude, both by the law and by the administration. The recognition of the need for better protection of the workers led to the stiffening of the law in respect of seasonal factories and greater vigour in its enforcement. The Factories Act now makes little distinction between seasonal and non-seasonal factories. But in practice the former have tended to secure in matters of exemption and enforcement, an amount of latitude, which is not accorded to other factories. The degree of latitude varies from province to province, thus making the law somewhat arbitrary and ambiguous. Further, in certain provinces, the natural concentration of an overworked staff on the perennial factories has resulted in too little attention being given to the problems which seasonal factories create. We consider that the law should recognise more definitely the special position of seasonal factories, and that the aim should be to establish standards which may not be identical with those of perennial factories, but which will be enforced with as much vigour as is applicable to the latter. We deal in turn with a number of questions specially or mainly concerning seasonal factories. In respect of matters not discussed here, the recommendations regarding the application of the Factories Act to perennial factories are intended to apply to seasonal factories also.

Power of Granting Exemptions.

Dealing first with hours of labour, all the existing restrictions to which we have referred in connection with perennial factories are ordinarily applicable to seasonal factories. Provincial Governments, however, have certain powers of exemption which relate specially to seasonal factories. All such factories can be exempted from the provision requiring a weekly holiday. Those factories which are " at times dependent on the irregular action of natural forces " can be exempted from the provision requiring a manager to specify the hours of employment beforehand, and tea, coffee and indigo factories can also be exempted from the provision relating to intervals. The power of granting these exemptions is subject to the control of the Governor General in Council, and provincial Governments may attach such conditions as appear suitable to the exemptions they give. Exemptions must also be published in the local official gazette. Other exemptions can also

be given, as in the case of perennial factories, for special classes of workers, for intermittent work or on other grounds, but the power of granting these exemptions cannot ordinarily be used to relax the law for the rank and file in seasonal factories. Apart, therefore, from the special exemption relating to intervals in tea, coffee and indigo factories, the only important exemption generally applicable to seasonal factories is the exemption from the provision of a weekly holiday, and this appears to have been used fairly generally. As the majority of seasonal factories, and particularly the cotton-ginning factories, work their operatives, during the season when the crop is at its height, for the full limit of 60 hours in six days of the week, the exemption in itself is of little value unless either fresh workers are employed on the seventh day or the law is evaded by employing the operatives who have already put in six days' work. We fear that, where exemption is given, the latter practice is not uncommon.

Special Exemption to Meet Press of Work.

In addition to the regular exemptions, however, the Act also provides for the exemption of a factory from the provisions relating to intervals, weekly holidays, weekly limit of hours and the daily limit of hours "on the ground that such exemption is necessary in order to enable such factory to deal with an exceptional press of work". Exemptions of this nature can be given by general or special order. They are not subject to the control of the Governor General in Council and they need not be published. The exempting power contained in this clause is clearly intended to meet cases of emergency and is so used in the case of perennial factories. Unfortunately, we have reason to believe that it has been used in the past (if it is not still so used) to give some of the seasonal factories a latitude which is unjustified. Most cotton-ginning factories, in particular, have a natural press of work during the comparatively short season for which they are open, but this press of work is normal rather than exceptional. The law should be framed with special regard to the requirements of seasonal factories, and in such a manner that the grant of exemptions to the ordinary workers should be limited to genuinely exceptional cases. We propose, therefore, to review the requirements of the factories concerned with regard both to the capacity of the workers and to the exigencies of the industry.

Justification of Longer Hours.

So far as the capacity of the workers is concerned, we believe that somewhat longer hours can be justified in seasonal factories than in perennial factories. The workers in seasonal occupations are for the most part employed on factory work only for part of the year, reverting subsequently to agriculture or other intermittent labour. They live to a large extent in healthier surroundings than workers in large factories and as a general rule the work itself involves less strain. Their physique is not subject, therefore, to the same tax as in the case of workers in perennial factories. Having regard to the fact that the fixing of a working day in perennial factories at 10 hours and of the working week at 54 hours has

been advocated, we consider that it would not be unreasonable to maintain in seasonal factories the present maximum working day of 11 hours and the maximum working week of 60 hours.

Needs of Industries.

In the grant of exemptions it seems to have been occasionally forgotten that the restrictions in hours laid down in the Act refer to the hours of work of the individual worker and not of those of the factory machinery. There is reason to believe that, as a result of the tendency to grant exemptions on too generous a scale, few efforts have been made so to organise the work as to deal with the crop in the time available with the least strain upon those engaged in handling it. Workers have been called upon to work for excessive hours when others were available to take their places if necessary, and we have reason to believe that little regard has been paid to the statutory requirement in respect of compensatory payment for overtime. So far as the needs of the industry are concerned, exemptions can only be strictly justified if it is not possible to secure extra labour, and we are not satisfied that this is true of any important class of the factories we are now considering. We cannot, therefore, regard the exigencies of the industries as justifying the employment of individual workers for longer hours than the limits we have already suggested, namely, 11 hours a day and 60 hours a week.

Pooling of Factories.

It is relevant to observe in this connection that the overworking of operatives is specially associated with cotton-ginning factories, and in this industry there are in several important areas more factories than are required to dispose of the crop. The factory owners have combined to form pools in most areas, in order to regulate the distribution of work and of profits. To quote the Indian Cotton Committee of 1919 " the result has frequently been that new ginning and pressing factories, which have never worked and were never intended to work, have been erected in places already over-supplied ". A number of factories stand idle in all but an exceptional year, while others may be used in rotation, and there is a tendency to concentrate work in some areas into too few factories As a result, the exigencies of the industry may appear to require long hours, when actually there is no such necessity. In one province where this custom is prevalent, some employers have instituted an 18 hours' day with two hours' interval, a separate shift of workers being entered against the extra 6 hours. There is, unfortunately, reason to believe that in many factories the extra shift is not engaged, detection being evaded by false registers or the closing down of the factory on the news of the impending visit of an inspector. The Cotton Committee recommended that, in any district where factories were kept closed, no night work should be allowed in any circumstances. We admit the force of this recommendation, but we recognise that legitimate centralisation is in the best interests of the industry and we do not wish to advocate any measures calculated to prevent developments in this direction. For the abuses to

which pooling gives rise, as for other evils, the proper remedy is the provision of an adequate inspecting staff.

Suitable Exemptions.

The extra latitude recommended for seasonal factories in the matter of hours should be regarded as meeting the special requirements of these factories, and the power of exemption should be severely limited in the case of factories which enjoy this latitude. As in perennial factories, the restriction on hours of work need not be applied to persons in positions of supervision or management or to those employed in a confidential capacity. The power should also remain of giving limited exemptions to persons whose work is of a preparatory or complementary character. It may also be desirable, in certain classes of seasonal factories, to grant exemptions from the provision relating to intervals. There is no need for exemption from the provisions of the weekly holiday. These provisions do not prevent any factory from working 7 days of the week, provided that no individual works for more than 6 days. Our proposals for seasonal factories thus involve practically nothing more than the enforcement of the spirit and letter of the existing law; but it is an essential part of our recommendations that the provisions suggested should be strictly enforced. The inadequate protection hitherto given to workers in seasonal factories is due, not so much to any defect in the Factories Act, as to imperfect and inadequate provision for the inspection of these factories. We return to this crucial question later.

Demarcation.

If certain factories are to be granted special latitude in the matter of hours, the question of their definition and demarcation requires attention. The latitude which we have suggested is justified only in the case of factories which do not ordinarily work their operatives for more than half the days of the year. In most seasonal factories, however, the season naturally varies with the extent of the crop and other factors, and few owners of seasonal factories could declare beforehand how many days' work would be necessary. We recommend, therefore, that the Act should include within the definition of a seasonal factory certain specified classes of factory. In addition, the provincial Government should have power to declare that any factory falling within these classes should be treated in future as a perennial factory, and that any factory not so included should be treated as seasonal. This power should be subject to the provincial Government being satisfied that the factory is or is not, as the case may be, normally open on more than half the days of the year. In the classes to be specifically treated as seasonal, we would definitely include in all provinces cotton-ginning factories, lac factories, indigo factories, coffee factories, rubber factories and jute presses. We would also include tea factories in all provinces of North India. This list is not intended to be exhaustive and it should be enlarged by the inclusion, with reference to the

particular provinces concerned, of any other groups which are entirely or almost entirely seasonal.

Differential Hours for Women.

A number of witnesses advocated differentiation between the maximum legal daily and weekly hours which men and women may work in seasonal factories, mainly on the ground that the existing hours, under the free use of exemptions, were excessive in the case of women workers. We believe such hours to have been excessive for both men and women and our recommendations have been made in that belief. The better policy, wherever possible, is to fix hours that are reasonable for adults of both sexes, thus avoiding a course of action likely to prejudice the work of women unnecessarily and to disorganise industries where, as occurs in many cases, the processes performed by men and those performed by women are interdependent.

Spreadover for Women.

It was also stated that industries such as ginning are handicapped by the restriction of the period during the 24 hours in which women may be employed to those between 5-30 A.M. and 7 P.M. Our proposals in Chapter IV, if adopted, will extend from 13½ to 17 hours the period within which factories may employ women, although the period within which any individual woman may be employed is reduced from 13½ to 13 hours. This recommendation should go far to meet the difficulty. We are aware that, in some of the cotton-ginning areas, notably the Punjab, employers have proved unwilling to conform to legal requirements in respect of working hours, the overworking of women being particularly prevalent. The number of prosecutions in a year for such offences in that province represents a high percentage of the whole, and we understand that the prohibited hours clause in respect of women is valued by an overworked inspectorate on the ground that without it such punitive action would not be possible. To combat the overworking of women in seasonal factories is a specially difficult task, since this class of rural worker generally knows nothing of the law, has no means of checking the time, and in the bulk of cases could easily be persuaded, were persuasion even necessary, to work any number of hours for the sake of the extra wages accruing. The women employed at a particular ginnery may be worked for more than 13 hours, even if no woman is found on the premises before or after the specified hours. This regulation, therefore, is in itself no certain remedy for this evil. The increased spreadover proposed in respect of women's hours makes it unnecessary for the seasonal factory owner to overwork any particular body of women. For this reason and in the absence of any shortage of labour, we feel that a policy of strict administration should henceforward be adopted wherever this evil is prevalent. At the same time, we recommend, as an additional precaution, that provincial Governments should have the power to prohibit in any particular group or class of seasonal factory the employment of women outside such hours, not being less than 11 in the aggregate, as they may specify. This power should be used only where a Government is

satisfied that the Act is being consistently evaded and cannot be enforced by ordinary means. We hope that the necessity for using this drastic method will rarely arise, but the grant of these powers is advisable in view of the unwillingness of employers in cotton-ginning factories in some areas to abide by the law.

Dust in Cotton Ginneries.

So far as health in seasonal factories is concerned, the main danger is from dust, the extraction of which presents special difficulties. The industries chiefly concerned are the three largest, namely, cotton ginning, tea manufacture and rice milling. The main stumbling block in cotton ginning is the reputed lack of any dust-extracting plant which is at once effective and not unreasonably expensive. An investigation made in a cotton-growing province showed that the cost of the installation of adequate exhaust machinery would be approximately Rs. 100 to Rs. 150 per roller gin, of which there may be any number from 10 to 200 in a ginnery. Governments, therefore, have tended to refrain from making use of section 10 of the Factories Act empowering an inspector to order the installation of dust-extracting machinery lest the industry should be driven into Indian States where such requirements are not exacted. Reliance has been placed instead on effecting gradual improvements in ventilation. We were informed by a Chief Inspector of Factories that the extraction fans attached to cotton openers were not more than 50 per cent efficient, and we could ourselves observe that, even when the worker covers the mouth with the end of the *pagri* or a wad of cotton, the amount of dust in the atmosphere is sufficient to cause discomfort after a short period. Efforts made in one province to meet this difficulty by the use of masks or respirators proved abortive, the workers declining, for caste reasons, to use these where they have previously been used by others. The high labour turnover in ginneries is said to have made it impossible to reserve masks for individual use. This difficulty is not insuperable, but perhaps it would not be easy to induce the workers to wear respirators. We note that it is the practice in most cotton-growing provinces to make use of the compulsory submission of building plans, required under the Cotton Ginning and Pressing Factories Act of 1925, as a means to bring home to employers the need for effective ventilation in new ginneries, and often to get such plans amended so as to ensure adequate ventilation from the start. We recommend that, before the plans submitted under section 9 (1) of that Act are approved, the prescribed authority should be satisfied that adequate ventilation will be secured. We would point out that the installation of dust-extracting machinery is a less expensive proposition than subsequent structural alteration. We also recommend a more liberal use of section 10 of the Factories Act in respect of existing factories in bad cases where improvement cannot be effected by increased window or roof ventilation.

Dust in Tea Factories and Rice Mills.

We were able to visit a number of tea factories in different parts of India. During the busy season the atmosphere in parts of some

factories is vitiated by dust and fluff, and we noticed the marked improvement effected by efficient dust-extracting machinery of the suction type. We recommend that owners of tea factories be required to install efficient dust-extracting machinery in all such factories within a specified period and that no new factories be allowed to be built without such machinery. In rice milling, dust is formed in considerable quantities both in hoppering and its ancillary processes and in polishing. The meal dust given off in the latter process is not only unpleasant but is stated by the Chief Inspector of Factories in Burma to increase the hazard of fire in the dry weather. We recommend that steps be taken to compel the installation of the necessary protective machinery (*e.g.*, enclosure of polishing cones) in all new mills and that freer use be made by local Governments of the power of inspectors to demand the installation of such machinery in existing mills where the conditions are bad.

Exclusion of Infants from Factory Premises.

The exclusion of infants from the premises of seasonal factories has caused some difficulty. This mainly concerns ginneries, though other industries are also involved. In one province an order made by the factory inspection department, excluding infants from ginneries but permitting their presence in ginnery compounds, appears to have been largely successful. But in another province two similar orders, issued in 1924 and 1926, had to be withdrawn on the ground that they could not be enforced without driving some of the women out of employment. This is due to the lack of shelter elsewhere than in the factory for the children of working women. It is not reasonable to require the owners of small factories situated in rural areas and open for a part of the year only to install creches in the accepted sense of the term. But where women are employed in any process creating an impure atmosphere, the factory owner should be required to set up for their infants some temporary shelter in the compound. If a sufficient number of children is involved, a woman not employed within the factory could exercise the required supervision. The necessary provision could take the form of a welfare order of the kind recommended in the preceding chapter. In this regard there is considerable scope for women inspectors, not so much in the actual day-to-day enforcement as in the evolving of suitable methods of surmounting obstacles of this kind with which the factory labour of women in tropical countries is still beset.

Sanitation.

It should be observed that the recommendation made in the preceding chapter in respect of latrine accommodation applies both to perennial and seasonal factories wherever situated. Where water-borne conservancy is not possible, the adequacy and acceptability of pit or bore-hole latrines has already been demonstrated in different parts of India. These are cheap and, if properly constructed, odourless and should meet admirably the requirements of large numbers of seasonal factories of the smaller kind. The ordinary seasonal factory may have some difficulty in complying with this requirement, particularly where

it has not hitherto been customary to supply latrine accommodation. But here, as in the allied matter of regular and efficient white-washing and cleaning (particularly in respect of places concerned with dust-producing processes) dependence must be placed on more regular and systematised inspection. We make a recommendation elsewhere for the withdrawal of the exemptions granted to the Assam and Bengal tea factories in this connection.

Guarding of Machinery.

Passing to questions of safety, we consider that the guarding of machinery requires more attention than it has been possible for the present staffs to devote to it. This is especially true of cotton-ginning factories, which are always a potential source of danger on account of the number of belts and pulleys connecting the roller gins and the main line shaft and the confined space in which the operator has to work. We also consider that something might be done to assist seasonal factory owners by means of publications. The Bengal Factory Inspection Department recently prepared a useful booklet for distribution to managers of tea factories, explaining the requirements of the Factories Act in its application to their industry and illustrating the best method of guarding standard types of machinery. Simplified leaflets or small pamphlets on these lines might be prepared and distributed by provincial factory inspection departments in respect of the seasonal, and indeed also of the smaller perennial factories where power machinery of a more or less standardised kind is in operation. Such literature could usefully deal with suitable clothing for machine tenders as well as with the adequate guarding of the machinery itself. The former is of particular importance in country power-driven factories, where the labourer is accustomed to wear a loose loin cloth or a *pagri* with hanging ends only too liable to become entangled in belts and pulleys as a result of the draught created by moving machinery.

Safety of Buildings.

Unfortunately many seasonal factories leave much to be desired as regards their structural adequacy. Often little attention is given to the matter by the owner in view of the fact that the structure is only in use for part of the year. Sometimes the buildings are deficient from the moment of erection, owing to efforts to cut down the initial cost of construction and the absence of any effective central control over building plans. We have dealt elsewhere with the necessary measures to obviate the latter difficulty in the case of all types of factory buildings, whether perennial or seasonal. The Cotton Ginning and Pressing Factories Act of 1925 was especially intended to meet this and other difficulties in these factories and, as far as we are aware, is being adequately enforced. But this Act, useful as it is, was passed only six years ago and all over the cotton-growing area are scattered ginneries built before that period, often in a very unsatisfactory way. The dangers to which such buildings are liable are accentuated in certain districts by the pooling system which sometimes involves using in rotation

ginneries in particular areas, where their number exceeds the requirements of the industry. This may result in a factory remaining closed for several years and then being brought into sudden use without any adequate overhauling. In consequence, a number of accidents have occurred in at least one province within the last few years, including one in 1928, in which the roof of a ginnery, previously closed for some years, collapsed within a few hours of the machinery being restarted, killing five and injuring seven of the workers. We are of opinion that, with the necessary initial control of stability which we have recommended and the powers already conferred by section 18A of the Factories Act, the increased inspection of seasonal factories to which we refer subsequently should minimise this danger.

The Certification of Children.

The provisions relating to the control of child labour have apparently been framed with the larger factories in view. These are mostly situated in towns where official part-time or whole-time certifying surgeons are available, and the system gives rise to no serious difficulty in such cases. In seasonal factories situated far from headquarters of any size, its working is not so smooth. An inspector may find children who are clearly under 15 years of age working adult hours, or even children under 12 so employed. He is not authorised to expel a child except on the ground of physical unfitness and he may not expel an adult in any circumstances. If his belief that a child is under 15 years is questioned, it would seem doubtful if he can take the child from the factory, but even if no objection is raised to his doing so, he cannot do more than take him to the local doctor and this in practice has not always been found satisfactory. Further, we understand that the certification of children by local doctors is not always reliable, but no others may be easily obtainable. We hope that, with the employment of medical inspectors which we have recommended, the necessity of employing non-official practitioners will disappear or be greatly reduced. But we also recommend as a further safeguard that provincial Governments should have the power, for any or all classes of factories, to prescribe standards corresponding to the normal height of children of 12 and 15 years of both sexes and that, when such standards have been prescribed, the employment of a child who is either under the prescribed age or under the prescribed height should be illegal. We further recommend that the law should empower inspectors to exclude and to arrange for examination by the nearest surgeon qualified to grant a certificate, any uncertified person whom he has reasonable ground for believing to be under 15 years until the age of that person and his or her fitness for employment have been duly certified. This last provision should be equally useful in the case of the smaller and more isolated perennial factories and should, therefore, apply to all factories coming under the Factories Act.

Difficulties of Inspection.

The inspection of seasonal factories presents special difficulties. The bulk of them are widely scattered in rual districts, thus involving

lengthy and often difficult travel which has necessarily to be concentrated into that part of the year when the work is in full swing. Moreover, with the exception of tea factories, such places are mostly small and frequently owned by uneducated people whose acquaintance with the law is slight and whose isolation makes it easy to practise evasion. This is particularly true of the cotton ginning and pressing factories, where the situation is apt to be further complicated by the pooling system to which we have already referred and by the practice of short-term leases. Such factories are frequently leased for a few years or even for one season and the constant change of ownership involves constant re-education by the factory inspection department. There is also a tendency, in more than one class of seasonal factory, to concentrate work in factories employing just under 20 persons in order to evade the requirements of the Factories Act. Although this has been defeated in some provinces by the extension of the Act to places using power and employing between 10 and 20 persons, the result has been an increase of work for the inspecting staffs. We do not consider that proper control can be exercised over the working of the ordinary seasonal factory unless it is inspected at least twice in every season. We recognise that in some cases this is an almost impossible requirement for the regular officers of the factory inspecting staffs. Apart from considerations of expense, regular inspectors on tour, when away from large centres, are well known and carefully watched and it is difficult for them to make unexpected visits.

Part-time Inspectors.

We do not contemplate that the inspection of seasonal factories should be made entirely or even predominantly through the agency of the whole-time inspection staffs, although inspection should invariably be carried out under their direction. We visualise the more systematic and systematised use of the part-time inspector. The magistrate or other officer who may be appointed in this capacity in any outlying district has ordinarily one big advantage over the full-time inspector, in that he lives near the factory and can reach it at any time without attracting particular attention. On the other hand, this type of inspector has suffered in the past from one important disadvantage, namely, the lack of technical knowledge. Nevertheless, under slightly altered conditions, such officers can do much valuable work and should be increasingly used. Cotton ginning factories alone now number over 2,000 and, as a result, occupy a large amount of the time of the full-time inspector. In one month, or even less, a selected magistrate or revenue officer could acquire knowledge of the machinery, law, registers, etc., sufficient to enable him to carry out efficient inspections in places of this kind. A special course of instruction, to be conducted by the Chief Inspector, should be held from time to time for the selected officers. This should include practical work on inspection. Thereafter, all that would be necessary would be for a full-time inspector to visit a proportion of such factories to check the work done, and to deal with questions of special difficulty. We visualise the successful application of this system in the case of other types of seasonal factories, *e.g.*, rice mills in South India and Burma. We recommend that selected officers

of the grade of deputy collector or sub-divisional magistrate be given a short intensive training and then employed in districts where factories of the type we have mentioned are to be found. Here they would form part of the magisterial and revenue staff and would be required to devote only part of their time during the appropriate season to factory inspection. Officers below these grades, such as Industrial Surveyors who are employed as Factory Inspectors in the Punjab and Delhi, should not be used for this work as they frequently lack the necessary authority and status to give them standing in the eyes of the employer. Moreover, the performance of their other duties may be made difficult where punitive action has been taken as a result of contraventions of the Factories Act. We suggest the omission of the tea factories of Assam and Bengal from this system as we have made special recommendation for the former elsewhere and the latter are best dealt with, as at present, by a full-time officer in the season.

Control of Inspection.

A necessary corollary to the efficient working of this system is the laying down of definite standards of inspection, both as regards the number of visits to be paid during the season and the type of report to be submitted to the factory inspection department. For the latter purpose regular forms should be carefully prepared by that department for issue to all *ex-officio* inspectors and a copy of the report of each inspection made by such officers should be submitted to the Chief Inspector of Factories. We see no objection to the District Magistrates retaining powers as Inspectors of Factories, but ordinarily they cannot and need not be required to act in that capacity if the recommendations made above are carried out. A certain degree of supervision of the part-time inspectors would be a useful service on their part.

CHAPTER VII.—UNREGULATED FACTORIES.

Extension of Factory Legislation.

We now come to the question of the desirability of extending the existing Factories Act to classes of workers hitherto uncovered by any of its regulations. The history of factory law in India has throughout been one of steady advance, each successive Act covering a wider field than the last and bringing within its orbit classes of workers or establishments which the increasing spread of industrialism has shown to be in need of protection or regulation. As in England, it was the case of the children which first attracted attention, with the result that the initial Act sought to regulate the conditions of work of children in the bulk of factories employing 100 or more workers. This 1881 Act excluded children under 7 years, while the child of from 7 to 12 years became a "half-timer", who could be worked for a maximum of 9 hours. The second Act of 1891 raised the minimum working age of the half-timer from 7 to 9 years, and the age at which he became an adult from 12 to 14 years, reduced his working hours from 9 to 7 and prohibited his employment on dangerous work. The importance of this Act, however, lay not so much in the granting of increased protection to the child worker as in its extension also to women workers, who were given a maximum day of 11 hours. In addition the Act brought under control all places employing 50, instead of the previous 100, employees provided they used power machinery. Moreover for the first time local Governments were given power to include all factories using power and employing 20 persons or more within the scope of the new Act. The Act of 1911, which repealed both the earlier Acts, took the extremely important third step of regulating the hours of men in textile factories as well as those of women and children. The hours of children employed in such factories were reduced from 7 to 6. At the same time new provisions in respect of health and safety were introduced, but on this occasion the definition of a factory remained unchanged. The year 1922 saw the passage of an amending Act fixing an 11 hour day and 60 hour week for adults. The importance of this Act in showing the gradual extension of the principle of control lay in the reduction of the number of workers necessary to constitute a factory from 50 to 20 and in extending to local Governments power to include places employing as few as ten persons in the case of those without any installation of power machinery as well as those using such machinery. It also took another step in protecting the child worker by excluding altogether those under 12 years, raising the age at which the industrial child became an adult to 15 years, and restricting the hours of the half-timer in all factories to 6 daily. The subsequent amending Acts of 1923 and 1926 did not make any change of importance in the scope of the Act either as regards establishments or classes of workers.

Gradualness the Keynote in the Past.

This brief outline of the history of certain features of factory legislation in India shows that from the beginning the principle of factory

regulation, here as in other countries, has been gradually to extend the area of protection afforded to the industrially employed worker. This principle has been effected in three ways—by regulation affecting specific classes of workers, by regulation affecting specific classes of establishments and by powers given to local Governments to include under such regulation smaller places of a similar kind. The value of a policy of gradualness has been clearly demonstrated in the history of factory legislation in India in the past and the dictates of common sense and practicability confirm us in the belief that the same policy should continue to actuate future developments in factory legislation.

Utilisation of Local Governments' Powers.

The power granted to local Governments under Section 2 (3) (*b*) of the Act of 1922 to extend the Factories Act to smaller factories has been used by different Governments in very varying degrees. The following table shows the number of factories so notified in the year 1929 :—

Madras	19
Bombay	15
Bengal	1
United Provinces	1
Punjab	28
Bihar and Orissa	2
Central Provinces and Berar	95
Assam	1
North-West Frontier Province	5
Ajmer-Merwara	5
Delhi	2
Coorg	1
Bangalore	9
Burma and Baluchistan	0
Total	184

In some cases the power of notification has been used in respect of individual establishments which have tried to evade the law by a reduction in the number of operatives to the border line (*i.e.*, 19 persons) or by dividing the operatives into shifts. In other cases the Act has been extended to groups of factories belonging to the same industry. Types of establishments in specific industries covered by such means in different provinces include saw-mills, type-casting foundries and yarn-dyeing premises. Most of these come under the category of those using power machinery. A few factories which do not use machinery have also been notified either on account of the large numbers employed or because of the danger of the processes or for other reasons. These include 13 hand match-making factories in the Bombay Presidency. The inaction in some provinces is explained mainly by the fact that the burden of factory inspection could not be increased without adding to the existing staff. Some examination has been made of the conditions prevailing in specified trades hitherto industrially unregulated. Instances in point are enquiries made by the Central Provinces in 1923 in regard to small ginning factories, those of the Bombay and Bengal Presidencies in 1924 into the employment of children in match factories,

those of the Burma Government in 1926-27 into small rice and saw-mills, and those of the Punjab Government in 1927-28 into child labour in the carpet factories in the Amritsar district. In a few cases useful enquiries of this kind have been made by private investigators desirous of drawing the attention of the public to particular social evils, leaders of localised trade unions in respect of conditions prevailing in their own industries, and social or student organisations generally interested in economic questions.

Need for Further Advance.

We are of opinion that the time has now come to take the next step by the extension of protective legislation to the worker employed in some of the industrial establishments which have hitherto escaped legislative control. The places most in need of such regulation fall naturally into two categories—those using power machinery but employing less than 20 workers, and those using no power machinery but employing a substantial number of workers. In the former category come the many small machine shops to be found in the back streets of all modern towns with the advent of mechanical transport and the extended use of electricity and machine tools, and in the latter a host of different industries, from which for illustrative purposes we subsequently select six for more detailed treatment.

Small Factories Using Power.

Taking first the question of the smaller factories using power machinery, *i.e.*, those employing under 20 persons, the most important points requiring attention are the unsuitable and even unsafe nature of the buildings in which the machinery is erected and the lack of adequate, and indeed often of any, protective guards to shafting, belting and machinery. The dangerous possibilities of the latter are sometimes accentuated by the inadequacy or unsuitability of the lighting provided, but fortunately night work is not common. It has, moreover, to be borne in mind that, up to the present, workers employed in such places have been without the protection of the Workmen's Compensation Act, which has hitherto applied only to power driven factories employing 20 or more persons. Owing to the absence of any obligations to report accidents in unregulated factories, the number of serious or minor accidents is not ascertainable, but the number of fatal accidents is believed to be small. In addition to mechanical defects there is a marked absence of adequate sanitary arrangements both as regards latrines and washing conveniences. More than one instance came to our notice where the existing conveniences were used for general storage purposes. Finally both the age at which a child may be employed in such places and the hours of labour of all workers are unregulated, though there is reason to believe that no appreciable abuse of child labour exists, owing to the work being in most cases unsuited to them. In the aggregate the proportion of women employed is also small. Moreover the hours of work, though frequently covering a big spreadover, are normally not excessive as discipline is much laxer than in the large factories and the atmosphere is more that of the domestic workshop than of the factory proper.

The number of establishments of this kind cannot be given with complete accuracy since, unlike the position in respect of the bigger factories, the aggregate number is considerable and fluctuates continuously. But, from approximate figures furnished to us by most of the local Governments, we estimate that the number which employ more than nine and less than twenty persons is not less than two thousand.

Extent of Regulation Recommended.

The effective application of the Factories Act to these factories at this stage would involve serious practical difficulties. We therefore recommend the general extension to them of only a few sections of the Factories Act. We are anxious to limit, for the present, the burden which the inspection of these factories would involve, and believe that the limitation proposed is justified by the fact that in most of them there is little occasion for the enforcement of a number of provisions contained in the Factories Act. Further, many of the owners or managers are uneducated and would find it difficult to maintain any elaborate registers. We recommend that the only operative sections of the Factories Act which should apply automatically, *i.e.*, by law, without the issue of a notification, to these factories are section 5 (giving inspectors powers of entry), Chapter III (relating to health and safety) but excluding sections 12 and 15, section 37 (relating to rules) and the appropriate parts of Chapter VIII with section 50 (relating to penalties and procedure). The provincial Governments would retain the power, which they have at present, of applying the Factories Act *in extenso* to any such factory, and in addition they should be given authority to extend any selected sections, other than those automatically applied. These powers might be used, for example, to give protection to children in respect of hours, or to check excessive hours generally, or to secure holidays, as necessity arises. Mr Joshi and Diwan Chaman Lall consider that those sections of the Factories Act relating to hours and the weekly rest day should be applied and extended to all factories employing more than 5 persons.

The Criterion of Numbers.

The recommendations made above are intended to apply to factories using power and employing not less than 10 but less than 20 persons. We also advocate that provincial Governments be given power to apply the sections specified above to similar places employing less than 10 persons where they have reason to believe that the conditions prevailing constitute a danger to life or limb. Finally, we recommend that the criterion for determining the number of workers employed in such places shall be the aggregate number employed for any part of the 24 hours and not, as at present, the number employed at any given moment, *i.e.*, "simultaneously". Our attention has been directed to the fact that a number of factories employing many more than 20 persons escape the provisions of the Act by dividing the workers into shifts.

Main Defects of Factories not Using Power.

We now come to the consideration of places where no power is used but where any number of workers may be employed, even as many as

seven or eight hundred. Here again the main difficulties, not all being necessarily present in any one industry, are the unsuitability or the dilapidated nature of the type of building used, the absence of adequate sanitation, poor lighting, defective ventilation, overcrowding, long hours and—above all—a preponderance in certain cases of the labour of under-age children, *i.e.*, children well below the regulation age for such workers in factories coming under the Factories Act. In these industries, which are of varying sizes, some localised and others widely distributed throughout India, visits paid by us confirm the evidence submitted from various quarters as to the main defects. By way of illustration we cite in greater detail six industries together responsible for large numbers of places typical of this class—namely, mica cutting and splitting, wool cleaning, shellac manufacture, *bidi* making, carpet weaving and tanning.

Mica Factories.

The industry of mica cutting and splitting is almost entirely unregulated, only one out of 127 factories in the province of Bihar and Orissa coming under the Factories Act because of its use of power machinery. The units are often large and may go up to as many as 800 workers. Approximately 30 per cent of the workers are children. The buildings are for the most part adequate, but much of the work is done on overcrowded verandahs. In most cases the hours are not excessive in the case of the adults or of the older children but, taking the time of leaving home and of returning to it in the case of those living in villages several miles distant, they are too long for the smaller children. There is no examination in the case of the young workers to ascertain age or fitness, and children of from 6 to 10 years of age are employed directly or with their parents on splitting and sometimes also on cutting, because " if started young they may become experts "—a statement which will have a familiar ring to those who have studied the history of the regulation of child labour in other countries. But in fairness to the employers, we should add that the representatives of the Kodarma Mica Association, who appeared before us, were prepared to agree to the exclusion of such children.

Wool Cleaning.

Wool cleaning is done in the Punjab and one or two other provinces. In the Punjab, women and children from about 8 years of age are employed, seated on the earth floor of the open yards to which the loosely baled wool is brought. The initial process consists of tearing or beating out, with the hands and with iron rods, lumps of dry mud, coagulated blood and other extraneous matter from the unsorted wool. This is a foul process and, as no system of grids to remove the accumulated dust is provided, the air, the person and the ground quickly become covered with powdered dirt and wool fluff. Very young children sleep alongside their mothers on piles of wool, their faces and clothes covered with a fine layer of this germ-laden dust. Other women are employed, either indoors or out, effecting a rough colour grading of the partly cleaned wool, men being used on the more skilled second grading for both colour and quality, which is done indoors. Here also, as the wool is

continuously torn apart with the bare hands, the atmosphere becomes thickly impregnated with dust, and no attempt is made to ensure the workers a less vitiated atmosphere in which to work for what are often very long hours. In many cases no proper latrine accommodation is provided.

Shellac Manufacture.

The manufacture of shellac is carried on mainly in Bihar and Orissa and to a lesser extent in the Central Provinces. In the former province, when trade is normal, about 4,000 persons are employed in 127 factories, of which only 15 come under the Factories Act. In the latter province about 2,000 workers were employed during 1929 in 22 factories; none of these comes under the Act because no power machinery is employed, although in the majority of cases there are more than 50 persons to each establishment. The manufacture of shellac is for the most part carried on in unsatisfactory buildings with leaking roofs and earth floors. Poor lighting and ventilation and an almost universal absence of any washing and sanitary arrangements are characteristic, although the bad smell created by the nature of the industry and the dirtiness of the manufacturing processes make these particularly necessary. The greatest deficiency, however, is to be found in the lack, both in and around the factory, of drainage for drawing off the water in which the lac has been washed. As a result of a recent investigation of these places undertaken by the Director of Public Health in the Central Provinces, it was reported that "Washing pits, reservoirs and drains are not properly cleaned at regular intervals. The same water is used for washing over and over again for a week or more and is allowed to stagnate for a period before it is drained off. Due to putrefaction of all the animal refuse from the stick lac, along with myriads of crushed insects in this water, the stinking effluvia from washing basins and drains are disgusting. But the persons employed on washing have to stand knee-deep in this water in the pits and carry on the work for hours together." The daily hours of work are normally not excessive, but no regular intervals for meals or weekly holidays are conceded, although admittedly this last evil is largely counteracted by irregular attendance and the seasonal nature of the work.

Labour in Shellac Factories.

Women workers form about 30 per cent of the labour force, and are employed on stripping, grinding and sieving, men being engaged in washing, melting and stretching. In the Central Provinces children under 12 years of age are employed on the lighter work of drying lac and twisting bags used in the melting process. In Bihar and Orissa boys, mostly at or about the statutory age under the Factories Act, are also employed on melting. Unfortunately in both cases these children, who form ten per cent of the whole, are largely to be found inside the stove room, which in the opinion of the Director of Public Health of the Central Provinces, cannot but be harmful to them on account of the excessive heat. Even in the case of the adult melters and their assistants who work near the stoves, it is reported that "great exhaustion is felt at the end of the

day, and debilitation is often experienced after 3 or 4 months of regular work". In both provinces the workers are unorganised, but some of the employers are persons of education and, in at least one province, are well organised. We understand that suggestions made by the local Government for improving the sanitary and general conditions of the factories in a particular area have so far met with no response.

"Bidi" Making.

The making of the *bidi* (the indigenous cigarette) is an industry widely spread over the country. It is partly carried on in the home, but mainly in workshops in the bigger cities and towns. Every type of building is used, but small workshops preponderate and it is here that the graver problems mainly arise. Many of these places are small airless boxes, often without any windows, where the workers are crowded so thickly on the ground that there is barely room to squeeze between them. Others are dark semi-basements with damp mud floors unsuitable for manufacturing processes, particularly in an industry where workers sit or squat on the floor throughout the working day. Sanitary conveniences and adequate arrangements for removal of refuse are generally absent. Payment is almost universally made by piece-rates, the hours are frequently unregulated by the employer and many smaller workshops are open day and night. Regular intervals for meals and weekly holidays are generally non-existent. In the case of adults these matters are automatically regulated by individual circumstances, the worker coming and going as he pleases and often, indeed, working in more than one place in the course of the week. Nevertheless in the case of full-time workers, *i.e.*, those not using *bidi* making as a supplementary source of income, the hours are too frequently unduly long, the length of the working day being determined by the worker's own poverty and the comparatively low yield of the piece-rates paid.

Child Labour in "Bidi" Factories.

The paramount matter for concern, however, in a number of areas, particularly in the Madras Presidency, is the question of child (*i.e.*, boy) labour. In many cities large numbers of young boys are employed for long hours and discipline is strict. Indeed there is reason to believe that corporal punishments and other disciplinary measures of a reprehensible kind are sometimes resorted to in the case of the smaller children. Workers as young as five years of age may be found in some of these places working without adequate meal intervals or weekly rest days, and often for 10 or 12 hours daily, for sums as low as 2 annas in the case of those of tenderest years. This recalls some of the worst features of child apprenticeship in England at the time of the agitation prior to the passing of the first Factory Act, particularly when it is realised that many of the parents of these child workers are in debt to the employer. As a result they are not in a position to enquire too closely into the treatment meted out to their children or to do other than return an absconding child. Although it is impossible to give even an approximate figure of the numbers of such child workers in the

provinces where this type of labour is most prevalent, we are confident from the evidence submitted to us, as well as from our own personal observations, that it is sufficiently large in certain areas to constitute an evil which demands immediate remedy.

Carpet Weaving.

Carpet weaving is done in several parts of India, sometimes as a cottage industry, as at Mirzapur in the United Provinces, and sometimes as a factory industry, where a number of looms are concentrated in one shed, as in the Amritsar district of the Punjab. In the case of the factories, the hours of work are confined to those of daylight; artificial lighting is not normally used except in the case of occasional rush orders. The sheds are open to the air on one side and often to the sunlight, but too frequently the earth-floor is damp, the surrounding yards dirty, the drains open and evil-smelling, and the latrine accommodation inadequate or non-existent. The work is usually done in a cramped posture.

Children in Amritsar Carpet Factories.

The main point to be observed in this industry is again the employment of young children. In the carpet factories of Amritsar these children are employed not directly by the factory owner but by the weaving masters, who are responsible both for engaging them and for paying their wages. The manager concerns himself solely with the master weaver who is paid on a contract basis, *i.e.*, so much for each carpet, according to its size, quality and design. There is for the most part no limitation on the children's hours, other than that imposed by the exigencies of daylight and the need of rest intervals, though holidays are generally obtained by taking advantage of both Hindu and Musalman religious festivals. No girl labour is employed. For the most part boys start at 9 years of age, though in some cases it may be as low as 6 years. Although the method by which this boy labour is obtained varies in details in different parts of the district, its essential characteristics are the same throughout. Where the child is not the son or a near relative of the weaving master, he is normally the child of a man who, in return for a loan of money from the weaving master, contracts out the labour of his child at so many rupees (7, 9, etc., according to the age of the child) per month. The duration of the contract, which is sometimes set out in a formal document, would appear to be determined by the repayment of the loan. It is not without significance that one witness, who was Managing Director of a leading carpet manufacturing firm, declared, when shown such a document found by us on his own premises and drawn up only a few weeks previously, that that was the first time he had ever heard of the existence of written contracts of the kind, excusing his ignorance on the ground that he had "nothing to do with the children" and dealt only with the master weavers. Yet, on his own admission, in this industry two of the four persons on the normal-sized loom are generally children under 12 years, the remaining two being a boy of over 14 years and the master weaver himself. It was clear to us from the evidence

that these children were in the position of being obliged to work any number of hours per day required of them by their masters. They were without the protection of the law as regards their physical fitness to labour, the number of hours they might be required to work without any interval or, indeed, any other of the more elementary protections afforded by the Factories Act in respect of child workers, and they were subjected in some cases to corporal punishment. Yet the bulk of such children were 2 to 5 years below the statutory working age in respect of child workers employed in factories under the Act. We understand that the local Government drew the attention of the industry to the position of these children as long ago as 1923, and that in 1927, after an enquiry which shewed that conditions were unchanged, made suggestions for the regulation of child labour. These included the fixing of a minimum age of 9 years and a maximum day of 8 hours for children up to 12 years. The factory owners were prepared to accept a minimum age of 8 years and to provide educational facilities, but the opposition of the master weavers prevented any agreement by their unwillingness to accept, either then or subsequently, any reduction in the working hours. The matter of a voluntary trade agreement in respect of the working conditions of these children is believed still to be under consideration. We are convinced that here, as in the *bidi* factories, official regulation is required primarily in the interests of the child worker.

Tanneries.

We received a considerable volume of evidence in respect of the conditions of tannery workers and took occasion to visit a number on the outskirts of the chief industrial cities. As the handling of skins and hides is obnoxious to most castes, the workers in this industry come largely from the depressed classes. In every case (in contrast to some of the larger tanneries which came under the Factories Act) we were struck by the lack of adequate sanitary arrangements, which make the bulk of such places even more offensive than is inevitable from the nature of the industry. Adequate drainage was absent and often the whole earth-floor space, spread over a wide area, was littered with heaps of evil-smelling refuse and sodden with pools of filthy water. There were no washing arrangements and, in the majority of cases, no latrine accommodation. In a number of instances the workers had no alternative but to eat the food they had brought with them in the midst of such surroundings. Hours were long, often 12 and sometimes in excess of 12, and, whereas few women were employed, in the Madras Presidency children of from 8 to 12 years, as well as older boys, were found at work in the vats and elsewhere. Their hours sometimes exceeded those of the adults owing to the necessity of performing certain additional tasks such as water carrying, vat filling, etc., for which they receive no additional cash wages but merely two *dhotis* a year. We feel that the statutory protection of the workers in this industry is essential because of the nature of the work and the class of worker employed, which from long social tradition is peculiarly powerless to help itself.

The Principle of Gradualness.

We do not seek to minimise the difficulties inherent in the regulation of places of this kind. But we do not feel that they should deter Government from taking the first steps in prohibiting the over-working of young children and in ensuring for the thousands of men, women and children employed in them the protection of reasonably sanitary working conditions. We are conscious of the fact that we are here dealing with a large variety of industries in varying degrees of prosperity, which hitherto have never been subject to any regulation, except in respect of municipal sanitary enactments, which for the most part have been laxly enforced. No regulation, even of the simplest kind, touching the workers themselves has ever been operative. This makes it not only advisable but necessary to apply that principle of gradualness which we have already shown to have characterised previous measures for ameliorating industrial standards. It may be taken for granted that, in the first instance, regulation will give rise to a variety of methods of evasion on the part of some employers and parents but this will be no more than a repetition of the past history of such regulation in countries with an older industrial background. For example, in industries already carried on to a large extent as homework trades, an increase in the number of homeworkers must at first be anticipated. This will be effected primarily in order that any regulation in respect of the hours of work and the starting age of child workers may be evaded, but also in order to reduce the number of workers actually employed on the premises and so escape the obligation to conform to a certain minimum standard of ventilation and sanitation. Similarly, even where homework is not possible, some employers may seek to evade legal requirements by taking two neighbouring workshops instead of one, so that no one place may employ sufficient workers to come within the scope of the law, a course of action which cannot be overcome by declaring that all places under one ownership shall be regarded as one unit, since it is always open to an employer to register one or more in the name of near relatives. While we recognise the inevitability of tendencies of this kind, we believe that, in due course, when legislation has been enforced for some time, such activities will largely cease. By then not only will regulation have lost much of its terror for this type of employer, but many of the steps taken to evade it will be found in India, as elsewhere, to be uneconomic.

Compulsion and the Parent.

As far as the parents of the child workers typical of these industries are concerned, we realise that we are here dealing with a class wholly illiterate, exceedingly poor and only too often heavily indebted. It is inevitable that to these the child's right to its childhood and even to such education as may be available should make no appeal comparable to that of its earning capacity, however small. There would appear in their case, as in that of the employers, no course open but that of compulsion by means of legislation so framed and so applied as to achieve the necessary end with the minimum of dislocation and hardship. Yet

we realise that far-reaching changes, which involve not only serious economic dislocation but also a radical alteration in social custom, cannot be achieved successfully, if imposed too drastically and rapidly. It is as essential to society as to industry to allow time for adjustment to new standards. If this is not done the true purpose of governmental interference is defeated, resulting either in 'paper' legislation or in legislation the very reality of which results in oppression and dislocation. The recommendations that follow are designed to achieve the desired end whilst avoiding both these dangers. For this reason, while many reforms in these factories are desirable, we would concentrate in the first instance on the two most outstanding and urgent needs, namely, protection of the child and the elimination of the worst dangers to the health of the workers generally.

Type of Regulation Recommended.

We have considered how best to devise proposals for controlling places of this kind which would not only secure the largest measure of compliance but would also be capable of enforcement. Two alternatives present themselves, namely, the extension to them of certain clauses of the Factories Act, including the provisions relating to the regulation of the employment of children, or the initiation of a fresh Act of a simpler kind. We are convinced that the former proposal, if introduced as a first essay in statutory regulation of such places, would be defeated by what is known as 'double employment' of children, *i.e.*, by the employment of the half timer in two separate establishments on the same day. Moreover, the provision of an adequate inspectorate in such circumstances and in industries so widely scattered is not a practical proposition at the present time. We therefore recommend the adoption of a separate Act of a different type which should be as brief and simple as possible and which should apply in the first instance to all places without power machinery employing 50 or more persons during any part of the year*. We consider that such a measure is less likely than legislation by reference to complicate the understanding of the law for a class of employer brought under regulation for the first time. In making this recommendation it is not our intention to suggest that, if Government find it practicable to apply the provisions of the Factories Act respecting the employment of children to any particular industry or section of an industry, their power should be in any way limited. Here again, as in the case of the smaller power-driven factories, reliable statistics are not available as to the precise number of such establishments, but, from the information supplied by most of the local Governments, we believe that it is in the neighbourhood of one thousand. This number would be somewhat increased if our subsequent recommendations in respect of the extension of regulation to smaller places in the case of offensive trades and of places employing an appreciable number of young children, were carried out.

*Mr Cliff, Mr Joshi and Diwan Chaman Lall consider that this recommendation should be extended so as to include all places employing 25 or more persons.

Exclusion of Young Children.

We have already shown in an earlier part of this chapter how the first Indian Factories Act started with the regulation of child labour and how each succeeding Act for several decades improved upon those regulations, not only by raising the age at which children might work in a factory, but also by reducing their maximum working hours and by postponing the age at which they should be regarded as adults. Where the regulation is concerned of child labour in factories employing 50 persons and upwards but employing no power machinery, we are confronted with a position comparable with that of the power-driven factories half a century ago. In such places there has hitherto been no regulation as to either the starting age or the maximum hours of labour, and a considerable volume of employment exists throughout the country of children of tender years for excessive hours. Unfortunately, as we have shown, there is in many cases, though not in all, an easy avenue of escape from such regulation, particularly in a country where compulsory education is still the exception rather than the rule. Realising, therefore, the necessity of educating both employers and parents to a higher standard of consideration for child welfare, and for the passing only of such legislation as is capable of enforcement, we recommend that the starting age for children in such places shall in the first instance be 10 years.

Hours of Children.

We recommend that, for the present, protection in the matter of hours be confined to children between 10 and 14 years of age. Fourteen years is not an ideal limit, but here again it is well to proceed gradually. Generally speaking, the hours of adult workers in places of this kind are not excessive, and their regulation would involve an extension of administration at a cost which would be difficult to justify at this stage. It is also necessary to realise that, whereas in power-driven factories the pace of work is determined by the machine, in many of the places of the kind now under contemplation the pace is comparatively dilatory and discipline often not strict. In regulating the hours of children, it is desirable to have a provision that is easily intelligible and that lends itself to as little evasion as possible. In this last connection, as has been already stated, the most serious risk is that children may be employed in two factories on the same day, as occurred in a number of the larger factories when children's hours were substantially reduced. We recommend, therefore, that for the present the law should enact that the hours of children employed in these factories should fall within the limits to be specified by the provincial Governments. These limits, which should be the same for all factories in one district but might vary from district to district or from season to season as need arose, should be such that in no case should the working hours of a child exceed seven or fall outside a period of nine hours in the day, with a rest interval of at least an hour. These limitations should, of course, be embodied in the Act. Thus, a provincial Government could prescribe that in a particular district children should not

be employed except between 9 A.M. and 12-30 P.M. and again between 1-30 P.M. and 5 P.M., and the manager of any factory in which children were discovered working outside those limits would be liable to prosecution. We believe that a provision of this kind would prove as easy to enforce as any other that could be devised, for surprise visits to factories at hours lying outside those prescribed by the provincial Government would ordinarily be sufficient to ensure compliance with the law.

Homework and Overtime.

We further recommend that no child who had been employed full time in a factory should be allowed to work overtime or to take work home after factory hours. The criticism of unenforceability might be made against this latter requirement since it is possible for work to be taken away by the child ostensibly for a homeworking member of the family, and no control could be exercised on the child's activities once he had left the factory premises. This criticism, however, has applied in the past with almost equal strength in other countries, and yet the very existence of such a clause, taken in conjunction with factory legislation, has ultimately proved to have an educative effect. There is no need to anticipate less good results in India.

Pledging of Child Labour.

Reference has been made to the existence in some of these factories of a system of mortgaging the labour of children. The system is indefensible; it is worse than the system of indentured labour, for the indentured labourer is, when he enters on the contract, a free agent while the child is not. The State would be justified in adopting strong measures to eradicate this evil. The giving of advances to secure the labour of children and the execution of bonds pledging such labour could both be made criminal offences. But, as there may be other questions of policy to be taken into account, we commend the proposal for examination by Government. In any case we recommend that a bond pledging the labour of any person under the age of 15 years, executed for or on account of the receipt of any consideration, should be void. This will not interfere with any honest system of apprenticeship, for in the cases where a bond is executed on behalf of an apprentice, any preliminary payment is made by and not to the parent or guardian of the apprentice. This recommendation is intended for application not merely to work in the factories mentioned in this chapter, but generally. Unfortunately, there is evidence that similar abuses have occurred in connection with the employment of children in some of the Ahmedabad cotton mills.

Weekly Holidays.

We also recommend that in every factory of this kind there should be a weekly holiday. This is particularly necessary for children, but there is no reason why it should not apply to adults also, and we recommend that all such factories should be entirely closed

on one day of the week, to be specified beforehand by the provincial Government. This day should ordinarily be the same for all factories in the same district, but the provincial Government might grant permission to particular factories to substitute another day where adequate cause was shown.

Protection of Health.

The second urgent need is the enforcement of what may be termed the minimum standards necessary to ensure the health of the workers. This would include such matters as the necessary structural alterations or repairs to the building, the supply of adequate latrine accommodation, ventilation, lighting and drainage. The Act, in addition to requiring the observance of suitable standards in respect of these matters, might give power to the provincial Governments to apply welfare orders of a simple nature to particular classes or groups of industrial establishments. This would ordinarily be done only when the Government was satisfied from the report of the inspecting authority of the prevalence of certain conditions, which, although detrimental to the health of the workers, could not be remedied under the parent Act. There is no need to enlarge further on this matter here as it has been discussed in the chapter dealing with the working conditions in the factory. Suffice it to say that this is a power which we contemplate would be used moderately and only after careful examination of the facts and of the economic condition of the particular industries or establishments concerned.

Inclusion of Smaller Factories.

The proposals made above are designed for application in the first instance only to factories employing not less than 50 persons, but provincial Governments may be given power to extend any of the provisions of the Act to factories employing less than that number where in their opinion conditions justify such action. We recommend that this be done forthwith in the case of offensive trades such as tanneries and shellac manufacture, irrespective of the number employed, in view of the fact that in such trades the smaller places, which sometimes predominate, are almost invariably the most insanitary. We also recommend similar action in the case of industries, classes of establishment or individual establishments where an appreciable number of young children are employed or where larger places have been broken up in order to escape regulation. Again, it might be necessary to include certain smaller factories in special cases in order to give proprietors of larger factories adequate protection against unfair competition.

Further Advance after Five Years.

Before passing on to administrative matters arising out of our proposals, we desire again to emphasise that legislation of the sort recommended is to be looked upon essentially as a first step. A starting age of ten years or a maximum working day of seven hours in the case of child workers is by no means satisfactory, or anything other than the first and very transitory halting place along the road of progress.

The same may be said of the restriction of such legislation, with certain exceptions, to places employing fifty persons and upwards, and, as far as adults of both sexes are concerned, to the regulation of sanitary conditions only. Indeed so great is the necessity of raising the standard of protection for all workers employed in places of this kind to the level afforded by the Factories Act to their fellow workers in the larger power-driven establishments, that we would put a time limit of five years on the operation of the first Act.. By the end of that period both employers and workers should not only have accustomed themselves to statutory regulation but have made the necessary adjustments. The second stage should accordingly prove easier than the first. We therefore urge that, when the Act recommended shall have been in operation for five years, Government be prepared to make such further advances as experience will have shewn to be possible.

Registration of Factories.

Hitherto establishments coming under the Factories Act have been required to register themselves with the factory inspection departments of their particular province. We would extend this requirement to those smaller places for which the extension of certain clauses of that Act has been advocated. Furthermore, we would make the same requirement in respect of those other establishments for which we have suggested a simpler form of regulation under a separate Act. We are aware that, for many years to come, compliance with this requirement will be imperfect in respect of both classes of establishment, owing to the extent of illiteracy, the prejudices of persons who have never previously been called upon to register and who may feel that such registration will be used for a number of unspecified purposes, and the desire of many to evade compliance. Nevertheless it is imperative that the onus of compliance with the law should rest on the individuals concerned and that from the beginning the duty of acquainting the Government with their whereabouts, and thereby obtaining the abstract of the particular Act they will be required to post, should lie with them. At the same time it will be evident that here, as in other countries where such regulation operates, the department in charge of the administration will have tc concern itself with the gradual perfecting of these lists as a result of routine visits of inspection.

Extent of Inspection.

In referring to such visits it should not be presumed that we visualise the necessity for the immediate creation of a large additional staff of factory inspectors. In making these proposals we have kept in view the desirability of reducing to a minimum the requirements in this direction. In the case of the smaller factory employing power, all that should be required is an occasional visit to ensure that the machinery employed is not a source of danger and that a reasonable standard of sanitation is maintained. The great majority of these factories are situated in towns, and inspection will require no elaborate technical qualifications. As there would be no question of evading regulations in respect of hours of employment, etc., there will be no

necessity for frequent visits, and to begin with at any rate, it will be sufficient to cover only a proportion of the factories each year. Those which do not use power and which employ children in appreciable numbers will require more attention, but even here visits can be brief, particularly if they are made outside the hours within which the employment of children is permissible. Here also the inspector would not require any large amount of technical knowledge. Much of the inspection of such places could be done by part-time inspectors, and we suggest the empowering of municipal health officers, who are already concerned with house to house visitation for the purposes of sanitary inspections, sub-divisional magistrates and other officers who may be available. Their work should be co-ordinated by the Chief Inspector of Factories acting in consultation with the medical authorities, and the qualified inspectors maintained for the administration of the Factories Act might inspect or re-inspect a small proportion of each class of factory. Where the factories are so numerous as to necessitate the employment of a whole-time inspector, we suggest the use of the grade of assistant inspector for the purpose. These should be selected, not so much on account of their technical (*e.g.*, engineering) qualifications as for character and address. They should be remunerated on a scale which enables them effectively to ignore the temptations to which they may be subjected at first by a certain type of employer anxious to avoid compliance with the new requirements. If filled by properly selected persons in the first instance, this grade should prove a useful training ground for inspectors under the Factories Act, to which senior grade there should be a free avenue of promotion where this is warranted by individual ability.

Sympathetic Administration.

In conclusion, we suggest that the policy of gradualness which underlies our proposals for legislation should also influence its enforcement. If our recommendations are adopted, the result will be to bring a large number of establishments under control for the first time. These will be owned in many cases by proprietors of limited education. In matters other than those affecting child labour, the aim should be the gradual raising of standards rather than the immediate enforcement of any ideal, and it is important that the beginning of enforcement of control should be actuated by sympathetic understanding of the difficulties to be encountered. To begin with there are bound to be many contraventions of the law resulting from ignorance of its provisions, and until a knowledge of these has become fairly general, prosecutions should ordinarily be instituted only for an offence committed after a previous warning. We are convinced that, if the administration is animated from the beginning by such a spirit, legislation on the lines advocated will do much to improve the health and physical welfare of those who are at present among the least protected and most helpless of the industrial workers of India. Moreover, it will have been effected without the possibility of the cry being raised that the law has achieved the betterment of the few at the expense of the livelihood of the many.

Table to show by provinces the number of mines under the Mines Act and their average daily working strength in 1929.

Province.	Coal.			Manganese ore.			Mica.			Other Mines.			All Mines.		
	Mines.	Numbers employed.		Mines.	Numbers employed.		Mines.	Numbers employed.		Mines.	Numbers employed.		Mines.	Numbers employed.	
		Under-ground.	Total.		Under-ground.	Total.		Under-ground.	Total.		Under-ground.	Total.		Under-ground.	Total.
Madras	..	..	..	8	..	1,516	77	1,868	4,176	19	113	1,786	104	1,981	7,478
Bombay	..	..	..	11	35	3,680	..	..	..	27	..	5,068	38	35	8,748
Bengal	208	29,497	44,303	..	..	..	..	..	..	8	..	874	216	29,497	45,177
United Provinces ..	..	..	..	..	..	..	..	..	..	51	301	5,330	51	301	5,330
Punjab	16	389	743	..	..	..	..	..	..	29	1,132	4,875	45	1,521	5,618
Bihar and Orissa ..	273	59,321	108,616	12	260	1,673	397	8,002	12,044	124	291	16,523	806	67,874	138,856
Central Provinces ..	29	5,376	7,656	94	916	20,374	..	..	..	39	38	5,995	162	6,330	34,025
Assam	9	2,159	4,128	..	..	..	..	..	..	..	..	..	9	2,159	4,128
Minor Administrations.	13	160	212	..	..	..	24	129	335	35	124	365	72	418	912
British India excluding Burma.	548	96,902	165,658	125	1,211	27,243	498	9,999	16,555	332	1,999	40,816	1,503	110,111	250,272
Burma	..	..	..	..	..	..	..	..	..	229	6,834	19,429	229	6,834	19,429
British India ..	548	96,902	165,658	125	1,211	27,243	498	9,999	16,555	561	8,833	60,245	1,732	116,945	269,701

CHAPTER VIII.—MINES.

We turn now to the question of labour in mines. The table printed on page 106 gives the number of mines and the average daily numbers employed for the principal minerals worked, with the distribution by provinces. This table shows the predominant position occupied by the coal mining industry. In British India (excluding Burma) coal mining accounts for two-thirds of all the employees in mines and 88 per cent of those who work underground. Apart from stone quarrying, the only other mining industries which employ as many as 10,000 persons are manganese and mica mining. In the first part of this chapter we refer briefly to what are officially known as metalliferous mines, that is to say, mines other than collieries. The second part is devoted to the collieries, and in the last part we discuss the operation of the Mines Act and other questions common to both classes.

Manganese Mines.

Manganese ore is obtained from a few large units and many small mines scattered over a number of rural areas. As used officially in India, the term "mine" includes quarries and in this industry nearly all the mines are open workings. Only about 4 per cent of the total labour force works underground. The mines lie mostly in a narrow strip of the Central Provinces running for 100 miles north-east of Nagpur, but others exist in Bihar and Orissa, Bombay and Madras. The smaller mines everywhere draw most of their labour from the immediate neighbourhood. The bigger concerns in the Central Provinces employ a number of local people but the greater proportion come from the north and east of the Central Provinces and adjoining districts of the United Provinces. The workers tend to remain at the mine with occasional visits to their villages. Both recruitment and the extraction of ore are entrusted to contractors, who attract and apparently retain their workers by a system of advances. We found here traces of the defunct Workmen's Breach of Contract Act in the terms of engagement; we recommend that adequate steps be taken to apprise the workers of its repeal. In Madras also, a number of mines depend on contractors' labour brought from a distance. The work is very similar to ordinary earthwork excavation and calls for no special comment. Wages are low and seem to be little above agricultural rates in the surrounding country. Hours in open quarries are subjected to little official checking, but do not appear to be unduly long.

Mica Mines.

While the mica mines resemble the manganese mines in being situated in rural surroundings, they differ in that there are no large units and that about two-thirds of the workers are employed underground. The mines are principally in the Hazaribagh and Gaya districts of Bihar and the Nellore district of Madras. The Bihar mines are largely worked from shafts, one to each working place, none of them of any great depth and mostly with the simplest hand-worked winding gear. Many of them are buried in the jungle and by no means easy of access. They are

worked by part-time agricultural workers between crops and are often closed during the rains. The Madras mines include a number of open pits in which quarrying is done by unskilled and often casual workers drawn from the neighbouring villages. From the labour point of view, mica mining hardly falls within the category of organised industry as the workers are not wholly or even primarily dependent on the industry. One large mica firm maintains its own hospital, and a number of firms contribute towards a Government dispensary and hospital. The small scale of nearly all the mines makes the provision of adequate medical facilities difficult. But many of the mines are situated at considerable distances from the nearest hospital or dispensary, and an extension of medical facilities, which might be secured by co-operation between employers, is necessary.

Salt Mines.

Some 1,600 persons are employed in the rock salt mines of the Punjab. The mines are owned by the Government of India and worked by the Salt Department. In the most important, the Mayo Mine at Khewra, salt is extracted from great chambers in thick seams of almost pure salt, which is cut or blasted from the floor of the chamber, conveyed to a loading station on the haulage road and there loaded into tubs. In some cases this involves women carrying salt in baskets for a considerable distance up and down steep inclines in which rough steps are cut. The chambers are connected by underground haulage worked by steam locomotives. The output of salt is limited only by the demand, which is at present insufficient to keep all the workers employed. As these men are hereditary miners, entirely dependent on the mine for their livelihood, and have no alternative occupation available, the result is a serious degree of under-employment, accentuated by the importation of ticket-of-leave men for loading work at the railway siding. We were informed that the miners were not prepared to undertake this work at the rate offered by the management. We recommend that this matter be re-examined with the object of offering this work to the mine workers and members of the resident community. There was no system of checking the workers who enter the mine or the hours worked. We recommend that an effective check be instituted and that, when a proper register of the workers is available, new workers be prohibited from entering the mine in excess of the numbers necessary to produce the required output. Measures for the relief of under-employment would be facilitated if means were available for effective consultation between the management and the workers. The present body of four *lambardars*, nominated by the manager, is in our opinion ineffective for the representation of the workers and should be replaced by an elected committee.

Health and Sanitation at Khewra.

During our visit to Khewra, we were struck by the poor health of the miners and their families. Anaemia is prevalent, and it appears from a report made by Col. Gill, Director of Public Health in the Punjab, in 1922,

that neither hookworm nor malaria is responsible. Col. Gill also pointed out defects in diet and a complete absence of sanitary arrangements. At the time of our visit, conditions seemed to be much as this report presented them, and we have been unable to find that any action had been taken on it. Health conditions in the mine are no more satisfactory than in the settlement itself and the inadequacy of the sanitary arrangements and the pollution of the atmosphere underground may be regarded as contributing to the low standard of health of the community. A special obligation lies upon the Government of India, who own and work this mine, to see that health standards and working conditions are improved. We recommend that, in addition to the application of our general recommendations as to health, early steps be taken to correct defects and to bring the sanitary conditions of the workings and the settlement up to a reasonable standard. We also recommend the provision of latrine accommodation near the entrance to the mine and improved latrines underground. A small sanitary staff should also be provided and placed under the supervision of the medical officer in charge of the hospital. We understand that a system of electric haulage in the main gallery is awaiting sanction, and this, with a more effective method of ventilation, would greatly improve the health of the mine.

Lead and Silver Mines.

The only lead mine of any importance in British India is the Bawdwin mine in the Northern Shan States in Burma, situated nearly 600 miles from Rangoon and far from any other centre of population. Its own railway covers the fifty miles between the mine and the main line, and, with its ore mills, smelter and subsidiary plant, the mine forms a large self-contained settlement. There are sixteen thousand workers in employment, with an unknown number of dependents. The mine itself is a highly organised concern working on three 8 hour shifts. Six thousand men are employed, 85 per cent of them underground. Wages are paid on a system of contract bonus. Eighty-two per cent of the stopes are let on contract to a crew of normally 15 men (5 on each shift) and the rate per " set " of ground is agreed between the company and the three leading miners. The work is measured up at the end of each month to ascertain the amount earned. During the month each miner is paid half-monthly at a daily rate and the difference between the amounts so paid and the contract earning is distributed *pro rata* amongst the crew, less 10 per cent which is divided between the three leading miners in addition to their share. This balance is paid with the second half-month's wages. The lowest daily rate paid in the mine is Re. 1-4-0, and, in the case we saw, men on this rate received Rs. 20 each as their share of the monthly balance. Apart from workers who come from India, mainly from hill districts, there is a substantial number of Chinese from Yunnan in the mine. The company provides free housing, an excellent hospital, to which the inhabitants of the surrounding country also come, clubs and stores for the sale of food.

The Bawdwin mine and the works dependent on it at Namtu are unique in more ways than one. The local administration of this

great enterprise impressed us as more autocratic than anything we saw elsewhere, and we doubt if anything of the kind would be possible to-day in industry in any Indian province. We readily admit that the autocracy is, in a large measure, benevolent, and that the workers' physical needs receive a large amount of care. Wages by Indian standards are high and hours generally satisfactory, welfare activities of various kinds are carried on with vigour and success, the standard of living is comparatively high and, if a much stricter discipline is demanded than is usual in Indian industry, the increased efficiency of the workers is reflected in their material betterment. The workers made no representation to us, but we note that a petition presented to the Governor of Burma on their behalf, of which copies were given to us by the Corporation, stated that they "have no grievances to recite, no cause to represent". Although we find it difficult to accept this as a complete statement of the position, we must regard the fact that the Corporation, without any recruiting activity, can secure a large labour force in a most isolated spot, as clear evidence of the attractions it offers. But there is another aspect of the position. We were informed by the General Manager that the management had built up a sort of patriarchal system and that they were convinced that it is far more to the interests of the workers and the industry generally than a system where there are trade unions and political organisations. He also said that, during his service with the Corporation, there had never been any collective representation made by the workers on matters connected with their employment. Occasionally a man would approach him with a petition written by a petition-writer saying he had been unjustly dismissed and praying that he might be reinstated, but, when the matter was investigated, it was always found that the man had no cause of complaint and that he had been justly dismissed. In this settlement, to which access is at times not easy without the assistance of the management and in which residence without their consent is difficult, the control of the employers over the work and life of the workers is comprehensive. We recognise that the circumstances are altogether exceptional and that with an extraordinary mixture of races, each housed in separate camps, effective combination would not be easy to establish, even if the employers favoured its creation. But we consider that there should be some recognition of the workers' collective rights, and some means by which when necessary, they can effectively present their case. We recommend the appointment of a labour officer, who, amongst his other duties, should direct his attention to the formation of suitable works committees.

Official Regulations.

Two questions in connection with the regulation of labour conditions in this enterprise call for comment. In the first place, lead poisoning is a factor which has to be considered in connection with the health of the settlement. We recommend that government should frame regulations, after consultation with the Corporation and after examining the rules in force in other countries. We do not intend to imply that the Corporation has taken no action in the matter. We understand that no person is employed until he has been examined and passed as fit for work

in a lead process by the medical staff of the Corporation. The management has also established a system of periodical medical inspection with a view to excluding persons who appear to be suffering from lead poisoning or constitutionally unsuited to employment in a lead process. In spite of these precautions, however, a number of cases of poisoning are reported annually and additional measures appear to be necessary. Secondly, we observed that, in applying the Mines and Factories Acts to the Shan States, sections 23 and 28 of the former and sections 21, 22, 27, 28, 31 and 35 of the latter have not been applied. These sections include the provision for a weekly holiday and the limitation of weekly hours in mines, and all the important provisions relating to hours and holidays in factories. We were unable to ascertain the grounds on which these exemptions were made, and we recommend that the omission of these sections be now reconsidered.

Mineral Oil.

Petroleum is produced in India in the Punjab, in Assam and in Burma, nearly 9/10ths of the output coming from Burma. We received very full memoranda and every facility for enquiry from the Burmah Oil Company, which, with its associated Company in Assam, is responsible for about 4/5ths of the Indian output. We visited a small subsidiary field in Assam, and the main field at Yenangyaung, on the east bank of the Irrawaddy. What we say below must not be read as necessarily applicable to other companies, from which we received no evidence. Yenangyaung is dependent entirely on the oil wells and a pipe line 260 miles long conveys the oil to the large refineries near Rangoon. The field is thickly studded with rigs, the wells numbering nearly 2,500 in this small area. The settlement of the Burmah Oil Company includes offices and workshops, housing for the staff and more than half the workers, recreation grounds and a large and well-equipped hospital. Approximately half the employees are Burmans and half Indians, the proportion of skilled labour being high. The normal week is one of 56 hours, worked either in 8 hour shifts or in five 10 hour days with a short Saturday. Some 15% of those employed work 8 hour shifts on continuous processes, without a rest day. Practically no women or children are employed.

After a period of labour unrest, the Company decided in 1923 that it was essential to get into closer touch with the workers and the conditions under which they work. They therefore established a labour bureau with a labour superintendent in charge, whose duties include all engagements and dismissals as well as the numerous tasks ordinarily undertaken by a welfare officer. We were informed that, from the Company's point of view, the superintendent is the representative of the workers, and it is his business to find out their needs and aspirations and to endeavour to obtain justice for them. The experiment appears to us to be justifying itself by the results obtained. Of the 17,000 workers employed by this Company on the actual oilfields, about 12% are subject to the Factories Act, but the bulk of their workers and of those employed by other oil companies are subject to no statutory control in the matter of hours and health and to few statutory regulations in respect of

safety. Oilfields both in India and Burma are given complete exemption from the operation of the Mines Act, which would otherwise apply to them. In Burma there is an Oilfields Act which is directed to the preservation of the oil sands and includes provisions for the prevention of fire, but is not designed for the protection of labour. We are of opinion that the protection of the law in regard to rest days, hours, health and safety should be extended to workers on the oilfields. We also think that labour statistics analogous to those for factories and mines should be compiled and published. We therefore recommend that conditions on the oilfields be examined by Government with a view to determining whether the end can be achieved by modifying the present exemption and applying appropriate provisions of the Mines Act, or whether separate legislation should be passed for the regulation of hours, rest days, safety and health on oilfields. Whichever course may prove more suitable, some form of inspection will be necessary. In India, excluding Burma, the mines inspectors should be able to make the necessary inspections: in Burma the inspection of the oilfields, combined with the inspection of mines in the province, will require the appointment of a separate inspector.

Other Mines.

The quarrying of stone, including slate and limestone, and the extraction of iron ore employ a large number of workers. The former industry is widely distributed over India and Burma and employs 28,000 persons in those quarries which come under the Mines Act; quarries less than 20 feet deep and in which less than 50 persons are employed are exempted from the operation of the Act. Slate is quarried mainly in the Monghyr district of Bihar. Limestone comes principally from the Punjab, the Central Provinces, Bihar and Sind. Other kinds of stone are worked in all parts of India, though none of the excavations for stone in the Madras Presidency has been reported as coming under the Act. The work in stone quarries is largely in the hands of contractors; little machinery is used and, since in almost all cases the workers come from surrounding villages, no special arrangements are made for housing, sanitation and health. The majority of the quarries are in scattered localities difficult of access and frequent inspection has not been found possible. There were 11 fatal accidents in stone quarries and 4 in limestone quarries during 1929. In iron ore mines, which are all open workings, some 8,000 persons are employed, including 2,700 women. Except for one mine in Burma, the production is almost all in the hands of three large firms who quarry ore in the Singbhum district of Bihar and Orissa. The majority of the workers are recruited in the district and many attend their work daily from their villages. It is reported that some housing is provided at the mines, and that hospitals and medical officers are maintained, while two out of the three large concerns have piped water supplies.

The Coalfields.

Coal is worked in Assam, Baluchistan, Bengal, Bihar and Orissa, the Central Provinces and the Punjab; but the great bulk of the collieries of India are concentrated in a comparatively small area, the

outlying fields being of much less importance. The Raniganj, Jharia and Bokaro fields, which together produce nearly 90% of the present total coal output, lie in a narrow strip running roughly from Raniganj in Bengal (about 160 miles north-west of Calcutta) westwards for about a hundred miles. Adjoining them still further to the west is the less important but expanding Karanpura field, while about 50 miles to the north of the Jharia field is the Giridih field. The greater part of the Raniganj field lies in Bengal; the remainder of it and all the other fields mentioned are in the Chota Nagpur division of Bihar and Orissa. The figures of output, in tons, for these fields and for the remainder of British India in 1929 are given below :—

Jharia	10,786,000	Giridih	771,000
Raniganj	6,828,000	Karanpura	467,000
Bokaro	2,119,000	Rest of India	1,337,000

The last item includes 680,000 tons from the Pench Valley field in the Central Provinces. The industry meets the present internal demands of India, and both the export and import of coal are on a small scale at the present time. The efforts which have been made in recent years to recover the export trade have been materially assisted by the co-operation of Government with the industry in the work of the Coal Grading Committee.

Production in Recent Years.

The figures of coal production, of the number of mines and of miners employed in British India are given by the Mines Department as follows :—

Years.	Production (tons).	Number of Mines.	Average daily number employed.
*1896-1900 (Annual Average)	3,975,475	191	61,367
1901-1905 (Annual Average)	7,037,312	297	83,186
1906-1910 (Annual Average)	10,894,019	437	105,506
1911-1915 (Annual Average)	14,731,904	554	128,884
1916-1920 (Annual Average)	18,486,988	700	167,881
1921	18,358,934	884	190,647
1922	18,168,988	953	184,355
1923	18,763,967	942	182,601
1924	20,256,034	846	187,088
1925	19,969,041	810	173,140
1926	20,093,024	722	170,628
1927	21,108,976	644	165,213
1928	21,515,796	556	164,139
1929	22,308,174	548	165,658

* Average for 4 years, figures for 1898 not being available.

The industry is largely the creation of a single generation. Although organised coal mining began in the Raniganj field early in the nineteenth century, in no year prior to 1895 did production reach three million tons, whereas since 1906 it has

more than doubled. Conditions during the war and in the years immediately following it encouraged the opening of a large number of small mines, working for the most part inferior coal, and production reached a peak at 21¾ million tons in 1919. This was not passed till 1929, when a new record was made. The recent expansion has taken place during a period of depression, which has resulted in the closing down of the weaker mines, while the stronger mines, with improved methods of working, have increased their output. The total output has thus increased, while the total number of mines and workers has decreased, the decrease in the latter being confined to surface workers. All the figures given refer to the average daily numbers employed, and it is unfortunately impossible to give accurate figures of the actual number of individuals who work in the coal mines in any year. Owing to the fact that few miners work regularly throughout the year, the aggregate number of workers far exceeds the average number of workers given in the statistics.

Working Conditions.

The Indian miner is in some respects more fortunate than the miner in Europe. Most of the coal comes from thick seams of 10 feet and over, seams of less than 5 feet being rarely worked. In consequence, the main underground roads are generally spacious and the working places almost invariably allow the miner to stand upright at his work. As yet the mines have not reached any great depth, those of over 500 feet in depth being exceptional, and the lead to the working face is seldom unduly long. As the mines develop work is carried to greater depths and greater distances, and, as a result, some working places are hot and ill-ventilated. 18,000 workers are employed in quarries, two-thirds of them in the Bokaro field. In this field 95% of the output is mined by the railways, whose workings include an immense excavation where a seam 100 feet thick is worked from the surface, after removing some 60 feet of overburden. This quarry produces nearly a million tons a year, the largest output of any colliery in India. Inflammable gas is not common, and most of the mines can be safely worked with naked lights, while a number of the larger ones are lit by electricity. In most of the coalfields there is an almost complete lack of system in respect of mining leases. Patches of coal, which, by reason of their small size, cannot be worked separately except by the most primitive equipment, can be found in close proximity to large mines equipped with electric power and using machinery of the most modern kind both above and below ground. We recommend an examination of the Mining Industry Act 1926, enacted in the United Kingdom, for the purpose of considering how far its provisions would be to the advantage of the industry in India in this connection.

Ventilation.

The health conditions underground vary from mine to mine to a considerable extent, especially in regard to ventilation and sanitation. In many, probably most, cases the ventilation

system is effective, but this is not the case everywhere. When the working face is at a long distance from the shaft, the problem of ventilation becomes difficult and requires all the more attention. One instance of the lack of such attention was in the mines worked by the East Indian Railway at Giridih, and this is probably in part responsible for the unsatisfactory physical condition of the miners employed there. In some of the smaller mines, also, ventilation is inadequate. Unhealthy conditions affect the health of the worker, not only directly but also indirectly, by diminishing his output and consequently his income.

Sanitation.

As regards sanitation, attempts have been made to improve conditions underground, but as the percentage of infection with hookworm is a reliable guide to the degree of sanitary control, the evidence given to us in this connection by the Jharia Mines Board of Health is instructive. It appears to be agreed that probably over 90% of the adult labourers in this area are infected, although illness is produced only in a very small proportion of cases. An investigation in the Asansol area showed that 83% of the mines examined were infected with hookworm larvæ, that 73% of the male underground workers were infected as compared with 54% of the surface labourers, and that, although hookworm infection is widespread in the collieries, hookworm disease is apparently altogether absent. It is evident that many of the mines are constantly being contaminated and that sanitary conditions underground call for improvement. As most of the galleries are spacious, there should be little difficulty in providing bucket latrines at convenient spots. Although at first it may be difficult to persuade the miners to make use of these conveniences, we have little doubt that in time improvements could be effected, and the attempt should be made. A small staff of sweepers should be employed to keep the latrines clean and to remove the contents of the buckets to the surface daily for final disposal.

Industrial Disease.

We have no evidence to indicate that the miners suffer from the industrial diseases and disabilities met with in other countries. Miners' nystagmus is also apparently unknown. This is probably due to the fact that it is most unusual to work seams of less than 5 feet in thickness and that the miners are ordinarily able to stand upright at their work.

Sources of Labour.

The main coalfields lie in or adjacent to areas chiefly inhabited by aboriginal tribes. From these tribes the labour force was first drawn and they still supply the bulk of the workers. A certain proportion of the labour force, consisting mainly of aboriginals, is permanently settled within the coalfields. Many of them were attracted by the grant of land for cultivation, and they live on the colliery property, devoting a part of their time to cultivation. The proportion so settled is higher in the

Raniganj than in the Jharia field. Other aboriginal workers live at varying distances from the coalfields. Some inhabit villages in the neighbourhood and walk into the coalfields to live and work there for varying periods. Thus some return to their villages at least once a week, whilst others return for comparatively long periods when agricultural work is plentiful. Wherever their permanent home may lie, nearly all the aboriginal workers are also agriculturalists and spend a considerable part of their working hours in every year in agriculture. The non-aboriginal workers form an increasing minority of the labour force. They are drawn mainly from Bihar, the north-east of the Central Provinces and the east of the United Provinces and are known as C. P.* miners. Possessed of greater adaptability than the aboriginals, they are accustomed to the use of explosives, can be employed on coal-cutting machines, and are more assiduous and regular workers. The introduction of more modern methods of mining and the tendency to more systematisation of working hours give this type of worker an increasing advantage over aboriginal labour. While nearly all these men look to other parts of India as their "home" and have some connection with agricultural land there, they are not usually agriculturalists in the same sense as the aboriginals. They approximate more nearly to perennial factory workers and may properly be regarded as miners dependent on mining for their livelihood.

Recruitment of Labour.

We have observed that, for the most part, perennial factories have now passed the stage at which it is necessary to go beyond the factory gate to secure labour. Conditions in the coalfields, however, are very different. Although, in respect of the demand for labour, the position has become easier in recent years, many of the workers have still to be engaged away from the colliery. In consequence colliery proprietors still find it necessary to spend, directly or indirectly, substantial sums in recruiting. Most collieries recruit through a contractor. Some make a special contract for the supply of labour, which is then employed and paid by the mine management; but the more usual method is to employ a raising contractor to whom are assigned other important functions which we discuss later. Two other systems exist: under one, a miner sardar brings a gang to the mine and is responsible to the manager for the work undertaken by the gang; under the other, the management sends out its own recruiters. Whichever the system adopted, the actual procedure of securing recruits is much the same. The recruiter or his agent visits the village—which is generally the one with which he has a steady connection—makes advances, pays railway fares and brings the workers to the coalfield. An increasing number of miners find their way to the coalfields from outside without the assistance of a recruiter. This class includes some of those who come from farthest away, *e.g.*, from the United Provinces. These workers frequently return year after year to the same mine.

* The letters are not an abbreviation of "Central Provinces" in this case, but denote "Compressed Pellets" a commonly used form of gunpowder.

Mining and Agriculture.

We have referred to the fact that the great majority of miners are also agriculturalists. Some come from villages near enough to allow them to work in the fields as occasion arises; others, when they come to the mines, leave members of their families in charge, returning only when their supervision and labour are most necessary. Yet others, who may have no land of their own, find work in agriculture at harvest time, when there is naturally a substantial rise in agricultural wages and work of this kind becomes temporarily more profitable than mining. In consequence, there is a marked variation in the supply of labour throughout the year. The number of workers in the mines is at its height about the end of February. Thereafter there is a steady diminution as the winter crops mature. The exodus is checked in April, when there is little agricultural work available, but begins with renewed strength about the middle of May, and employment is at its lowest point about the middle of July, when the sowing or transplanting of monsoon crops is at its height. Thereafter large numbers return to the mines and another peak is reached by about the end of September. From this stage there is again a decline and by the middle of November, when the rice harvest is at its height, the labour force reaches almost as low an ebb as in the middle of July. Thereafter it rises rapidly throughout the winter to the peak about the end of February. These movements of labour can be measured with fair accuracy by reference to the monthly raisings of coal for British India. In a normal year the amount raised in February or March is about 50 per cent above that raised in July, while the September raisings may exceed the July figures by about 30 per cent. These differences naturally vary with the vagaries of the monsoon. Defective rainfall, besides making labour rather more plentiful throughout the year, diminishes the extent of the exodus to the fields.

Irregularity of Working.

Apart from seasonal absences, there are other irregularities in the miners' working time which have their effect both upon their earnings and upon the industry. In earlier days it was the miner's custom to come with his family from the village and to go underground for a period which might extend to one, two or more days, returning to the surface and to the village when he had earned as much as he desired at the moment. This manner of working has largely disappeared, though it survived in some degree up to the introduction of the daily limit of hours in 1929. But even abandoned customs leave their mark, and it is probable that the present lack of discipline in regard to working times is due, in part at least, to the tradition of the past. Whatever the cause, few miners work six days a week and few mines have hitherto been able to count on the punctual attendance of their workers, even on those days when they present themselves for work. The mines do not work on Sunday. On Monday very few miners put in an appearance, many are still absent on Tuesday and it is not till Wednesday that a good attendance is secured. Reasonable estimates indicate an average of 4 to 4½ days' work per week for the individual miner during the weeks he is at

work. We should add, however, that, if the miner attended for the full working day on six days a week, he would in most mines exceed the legal weekly limit of hours.

Cost of Recruitment.

The cost of recruitment varies widely from mine to mine, but it appears to be frequently in the neighbourhood of 3 or 4 annas per ton of coal raised. It is occasionally 1 anna per ton or even less and is sometimes as high as 6 annas per ton. When regard is had to the wages paid, the amount spent on recruiting must be considered high. Each anna per ton of recruiting costs is equivalent on the average to about 10-12 annas a month for every worker employed. Although a substantial part of these costs, if it does not find its way to the labourer in cash, meets expenses which he would otherwise have to bear, the aim should be the elimination of all recruiting costs. We do not think this an ideal impossible of attainment. In present conditions a shortage of labour and the necessity of sending out emissaries to recruit indicate that all is not well with an industry, and we would emphasise the importance of making conditions sufficiently attractive to secure labour without recourse to systematic recruitment. But some managers have already found that the best advertisement for recruiting is not the emissary in the distant village, but good conditions at the mine itself. During recent years improvements in underground working, better wages, better housing, water-supply and sanitation, and more reasonable hours have all contributed to make the mines more attractive to labour, with the result that, although there is now more labour employed than in any year before the war, it is more easily obtained than it was then. Some of the recommendations made below should have an effect in further improving conditions and every such improvement should reduce recruiting costs. Indeed, some of the money so spent would be more effectively invested in ameliorating the conditions of labour at the mines.

Tenancy and Labour.

A number of colliery proprietors own surface rights in the land above the mine and are able to assign small holdings to a proportion of the miners, and for a number of tenants the rendering of labour in the mine is a condition of holding their land. This practice is fairly general in the Giridih field, which is largely held by the East Indian Railway. Here there are colliery villages entirely peopled with service tenants, who retain their holdings at a low rent on condition of rendering a certain number of days' service in the mine. A few colliery owners in the Jharia field acquired proprietary rights in land lying outside the coalfields with a view to securing labour for their mines from the tenants. Enquiries made at our request by the Government of Bihar and Orissa indicate that this method of securing labour is no longer utilised by the collieries themselves, but at the time of our visit we understood that contracts were still given to persons whose interest in land made it easier for them to secure labour from their tenants. We are informed that tenants are increasingly ready to avail themselves of the safeguards

afforded by the law, but in a service tenancy the rendering of service is a legal obligation in return for the holding of the land. An undertaking to render service in a mine as the condition of holding land is, in general, an undesirable form of contract. We recognise a difference between lands away from the colliery and actual colliery lands, including those held to protect the owner from claims for damage arising from his underground operations. In regard to the first, we recommend that, for the future, the law should prohibit the creation of tenancies with colliery service as a condition of the holding. We recommend also that existing tenancies should be examined by Government to see whether they can be converted to rent holdings with equity to all concerned. The position in respect of lands held for the purpose of working coal is different. In many cases the colliery owner must retain full control and cannot afford to lease it on terms which would give rise to permanent tenancy rights. The grant to miners of permission to cultivate it is usually in the interest of both parties, and there is no reason why such lands should not be held by colliery employees as an amenity or part remuneration of their service so long as they continue to be employed. The determination of the lands held for the purpose of working coal should be made by Government.

Raising Contractors.

The greater part of the output of coal is obtained by labour working under raising contractors. In the Jharia field these contractors are responsible for about 70 per cent and in the Raniganj field for about 40 per cent of the output. The raising contractor receives a fixed payment per ton, in return for which he recruits the workers, mines the coal and loads it into wagons. We have found it to be generally true that workmen employed by salaried managers, who are personally responsible for their workers, receive more consideration than those employed by contractors, and we do not think that the coal-mining industry forms an exception to this rule. But there are reasons peculiar to the coalfields which, in our view, render a system of employment through contractors, involving divided responsibility for labour, open to special objection. Both in law and in fact the manager is responsible for the safety of the workmen ; he determines where coal shall be worked and his decisions have the closest effect on the security of the miner. But even the safety men are not the manager's subordinates, being selected and paid by the contractor. The law also holds the manager responsible for compliance with its provisions in respect of hours of work, holidays, the employment of women, etc. As a rule he has also responsibility for housing and other matters (*e.g.*, water supply) affecting the welfare of the worker outside the mine. Yet he has ordinarily no responsibility for the selection of the workers, the distribution of their work, the payment of their wages or even the numbers employed. We believe that, whatever the merits of the system in primitive times, it is now desirable, if the management is to discharge completely the complex responsibilities laid upon it by the law and by equity, that the manager should have full control over the selection, hours of work and payment of the workers

On all grounds, we recommend the gradual supersession of the raising contractor as such, and the substitution of what is known as *sarkari* working.

Labour Officers.

If the raising contractor is eliminated, it will ordinarily be necessary to strengthen the management in order to carry out the functions he performed. There are very few mines employing raising contractors where the time of the manager is not fully occupied already, and we recognise that his other duties would normally make it impossible for him to give adequate personal attention to labour matters. In some cases we fear that the manager is imperfectly acquainted with the languages native to the workers. This may be one of the reasons for the survival of the raising contractor, but it does not make him indispensable. We recommend that in every important mine there should be a salaried officer directly responsible to the management for the supervision of labour, both in and outside the mine. There may be some among the existing labour contractors who are qualified by experience and temperament for such positions; but, whoever is appointed, it is essential that he should be able to secure and maintain the confidence of the workers.

Regularity of Working.

So far as working time is concerned, the principal aim should be greater regularity. The combined effect of seasonal absences and the short week worked by most miners is to reduce the number of the average miner's working days to well below half the days of the year. Hours of work (with which we deal later) are also frequently irregular. These irregularities are disliked by coal owners and managers, but it is possible that the employment of raising contractors tends to obscure the extent to which they handicap the industry. In overhead charges, in the cost of housing and sanitation and in other ways the employment of men working, perhaps, on 150 days in the year greatly enhances the cost and lowers the remuneration of labour. Greater regularity of work would be to the immediate advantage both of employers and employed. We can put forward no panacea which will effect a revolution in the present irregular methods of work; but there are directions along which progress is possible. In the first place, irregular daily attendance is associated with long working days. So long as a man, on the days when he goes underground, is required, or even permitted, to remain there for 12 hours at a stretch, it is unreasonable to expect him to present himself for work on 6 days of the week, even if it were legal for him to work more than 54 hours a week. No worker, least of all one who is drawn from the open fields, is likely to be ready, save in cases of dire necessity, regularly to spend long hours underground. The shortening of hours, therefore, to which we refer later, appears essential if greater regularity of attendance is to be secured.

Drink and Drugs.

A second factor, which has some influence on the regularity of work, is the consumption of intoxicating liquor. The extent of the

present evil may be gauged from the following figures, which relate solely to the colliery areas of the Dhanbad sub-division. In 1928 the average number of male persons employed in coal mines in that sub-division was about 55,000. The consumption in the colliery areas of country spirit alone during the excise year 1928-29 represented an expenditure by the consumers of Rs. 6,70,000. In addition to this, there was a large consumption of rice beer; expenditure on this cannot be estimated, but in license fees alone Government received on this account over Rs. 1,20,000. When allowance is made for the consumption of *ganja* and intoxicating drugs in other forms, the total expenditure on drink and drugs in that year cannot have been less than Rs. 10,00,000. We make proposals regarding the sale of drink in industrial areas in a later chapter, but we would emphasise here the harm done, particularly to the aboriginal population, by the sale of spirits, and the loss in efficiency for which drink is responsible in the coalfields.

Payment of Wages on the Rest Day.

There is one other factor contributing to irregularity to which attention should be drawn and which might easily be removed. In most of the coal mines Sunday is the weekly rest day, and it is the common practice in the Jharia field, if not elsewhere, to pay wages on that day. In some mines payment is a lengthy process, and the last miners are not paid out till the afternoon. If, amongst the latest, there are some who have many miles to walk to their village, most of their rest day may be wasted. In these circumstances it is not to be expected that the miner will appear for work on Monday. We consider that payment of wages should be made on a working day, preferably Saturday. There need be no difficulty in finding time for the calculation of wages, as, if necessary, the week for which payment is made can end on Friday or earlier. The matter is one that might be left to the initiative of the managements, but if, after a reasonable time, payment on a rest day has not been discontinued, Government should take steps to prohibit the practice.

Shortage of Tubs.

Many of the recommendations we have to make for the improvement of efficiency fall under the heads of health and welfare and are dealt with elsewhere. But there is another obstacle to satisfactory working which calls for attention. At the time of our visit to the coalfields, which corresponded with one of the busiest seasons, there was a fairly general shortage of tubs. Nearly every worker we examined complained of this shortage and it is a common practice for the miner to delay the commencement of work until tubs are available. The deficiency may be ascribed partly to the seasonal variation in production and partly to the tendency of employers to admit, at certain seasons, more workers than can be fully employed. The shortage might be partially remedied by better organisation so as to enable each tub to be filled more often than at present. We suggest to mineowners that, even at the cost of increased expenditure, an adequate supply of tubs, properly distributed, is essential to efficient

working. At present attention is apt to be concentrated on the question of the gross output, without much reference to the output obtained by the individual miner. We believe that the latter question is one of the most important, not merely in the interest of the miner himself, but in the interests of the industry as a whole.

Payment for Standard Output.

We have dealt with the possibility of securing more regular work; but there are two aspects to the case and it should be recognised that the miner on his part has cause for complaint. Practically all work at the mines is paid by the piece, the unit for coal cutters and loaders being the tub. The remuneration of both depends, therefore, on the number of tubs that can be filled; but there are many causes lying outside the worker's control, which may prevent him from securing an adequate day's wage. Examples of such causes are deficiency of tubs, difficult working places, long leads, stone and shale and mechanical breakdowns. An allowance on these grounds is sometimes paid, but this is by no means universal. For example, we found in the Giridih field instances where a miner in a day of 12 hours could produce no more than one small tub of coal. Statutory provision is necessary to ensure that the worker, whose wages fall short from causes outside his control, shall not be penalised. We recognise the difficulty of making provisions of this kind without offering encouragement to the slack or incompetent worker, but our conclusion is that statutory distinction between the causes of short output is impracticable and that the management is in a position to protect itself against deliberate idling. Our recommendation is that every worker on piece-work who goes underground shall automatically be credited, for purposes of payment, with a certain minimum output for every shift of eight hours or more worked. Under the present system this minimum output would be expressed in tubs. We should leave to an authority well acquainted with local conditions, the amount of this guaranteed minimum output and also the determination of the area over which the same rate should apply. The standard fixed should in no case exceed the normal daily output of a man of average skill and industry. Being anxious to avoid setting up new authorities where existing bodies will serve the purpose, we consider that the Mining Boards might be utilised for this purpose over the areas which they cover, provided that, whatever the constitution of the Boards for other purposes, they contain an equal number of representatives of employers and workers when sitting to determine standards. It will be necessary for these Boards to frame rules to prevent abuse of the provision recommended in this paragraph.

Sir Alexander Murray is unable to accept the recommendation contained in this paragraph. He draws a distinction between difficulties which are due to hard working places and other causes incidental to mining operations in all collieries, and those which are due to temporary shortages of tubs. The former difficulties can be provided for, and, so far as he is aware, are generally met, by special rates or allowances. As

regards the deficiency of tubs, he believes the cases where piece-workers in mines are prevented from earning normal daily wages on this account are comparatively few. They are confined to a short period about the month of February when, in the absence of other employment in agriculture, surplus workers flock into the coalfields. In his opinion the solution of this problem is for managers to refuse to permit workers to enter the mines in larger numbers than are required for efficient working. He does not consider that the difficulties referred to or the conditions generally obtaining in the coalfields justify the provisions which we recommend for the introduction of a system of guaranteed minimum output for every piece-worker who goes underground.

Variations in Tubs.

Another source of irregularity in the payment to miners is the extent of the variations in the size of the tubs and in the amount of coal loaded into them. An inquiry conducted by the Chief Inspector of Mines on our behalf shows that, while tubs of 30 c. ft. capacity are used at 256 out of 296 collieries examined, other sizes are used, exclusively or in combination, by 210 of these collieries. No less than 107 collieries use two or more sizes of tub, two collieries at Jharia having no less than 6 different sizes each. Not only does the size vary but the standard load of the common 30 c. ft. tub is far from uniform. Thirteen cwt. is the load at more than 2/5 of the collieries using this size, 14 cwt. at slightly less than 2/5, while the remaining fifth carry 10, 11, 12, 15 or even 16 cwt. in each. Miners' wages are sometimes cut for under-loading and in some mines there is a form of payment for 'surplus' coal, whereby a bonus is given to the supervisory staff if the aggregate output exceeds the standard tub load multiplied by the number of tubs filled. One of our witnesses, an underground *munshi*, estimated his income from this source at between 8 and 12 rupees per month at a colliery where 14 cwt. was the standard load. The effect of this practice is to deprive the miner of some of his legitimate earnings. He may be penalised for under-loading and is sometimes induced to overload without any benefit to himself. On the other hand, in some mines the miners benefit from the surplus allowance, and there is evidence that in other cases there is no deduction for shortage. We recommend that the Mining Boards should examine the question of securing greater uniformity in the size of tubs and of insuring that remuneration bears a closer relation to output. The introduction of a system of check-weighing may be practicable in the larger mines and the possibility of instituting such a system should be explored.

Legislation and Administration.

We now come to the operation of the Indian Mines Act, which is applicable both to coal mines and to other mines in British India. The first Act, which was passed in 1901, contained provisions relating to safety and health, but it was not until the present Act was passed in 1923 that any restrictions were imposed on the employment of labour. The 1923 Act, which is still in force, contains *inter alia* provision for the

exclusion of children under 13 years, grant of a weekly holiday and the limitation of weekly hours to 60 above ground and 54 below ground. The Act has been supplemented by two elaborate series of regulations framed under it by the Government of India; one of these relates to coal mines and one to other mines. In addition, rules have been framed by provincial Governments relating to a number of matters falling within their purview. Since 1923 two important changes have been made in the law. The amending Act of 1928 provides that no mine shall be open more than 12 hours in the 24, unless on a system of shifts, that shifts must not exceed 12 hours and that they must not overlap. The regulations of March 1929 prohibit the employment of women underground.

Existing Hours.

At the time of our visits to the mines, only the weekly limit imposed by the Act of 1923 was in operation. A number of mines were working on a system of shifts, but, in the main, hours were irregular and cases came to our notice where the legal limit was exceeded. Indeed, the registers in use up to two months before our visit made any effective check extremely difficult. Mica mines and some iron mines in Bihar and Orissa were normally working two 8 hour shifts and the Bawdwin mine in Burma was working three such shifts. The manganese mines in the Central Provinces and mines in Madras do not generally work more than one shift in 24 hours. In the latter province hours were reported to vary between 7½ and 9 per day, while the day's work in the manganese mines was said to average 7 to 8 hours.

Shifts in Collieries.

It appears likely, therefore, that the change in the law will be felt mainly in the coal mines where the worker, although not yet used to regular hours, will no longer be free to carry on the old system of remaining for long spells underground. Thus, if the shift is from 6 A.M. to 6 P.M., it may be 9 or 10 in the morning before all the workers are in the mine, and we can well understand that late arrivals, being pieceworkers, may be reluctant to leave work with the other workers of the shift as the Act enjoins. This will arise particularly in the case of those who walk some distance from their homes. But, where voluntary shifts have been worked, these difficulties have already been overcome and, now that the law removes the possibility of dissatisfied workers avoiding the shift system by moving to another mine, they should no longer be a serious obstacle to satisfactory working.

Registration of Hours.

The first necessity for the enforcement of proper hours is a satisfactory system of registration, for which forms are prescribed in the rules made by local Governments. Prior to 1929 the form left much to be desired, and in the salt mines of the Punjab and the manganese mines of the Central Provinces we found practically no check on hours. In the

coalfields a new form of register, showing daily hours, had been introduced shortly before our visit. At that time some of the clerks were not keeping this register properly. The register appeared adequate for the purpose and if accurately kept should provide a reliable basis for checking the observance of the law as well as the necessary safety record of the number of men underground at any given moment. We think that the personal responsibility of managers for the accuracy of these registers should be impressed upon them and that, for a time at least, the special attention of the inspectorate should be given to checking them. We recommend that new registers, in the same form as those in use for coal mines, or with such modifications as may be found necessary to meet varying circumstances, be prescribed for all mines under the Act.

The Working Day.

We have now to consider the suitability of the legal limits on the working day and the working week. The provisions of the Bill which was passed as the Act of 1928 met with criticism because with an existing weekly limit of hours of 60 above ground and 54 below ground, the introduction of a 12 hour day meant no advance. On the other hand, it was urged that the object of the Act was not the reduction of working hours, but the enforcement of some regularity in their arrangement. The whole case for and against a shorter daily limit was examined with care by the Select Committee of the Legislative Assembly, which considered the Bill in 1928. The members of that Committee were agreed that the 8 hour shift is the system towards which advance should be directed. But, for reasons given in their report, the Committee decided to adhere to the 12 hour shift, recommending to Government that, after the Act had been in force for three years, the situation should again be examined to see whether an 8 hour shift could then be introduced. As the three years did not commence to run till April 1930, we have had no opportunity of seeing the Act in operation and it is not possible, therefore, to say that the considerations which led the Committee to suggest an experimental period have lost their force. We do not suggest that twelve hours is a suitable working day for a miner working regularly, but under the present law the miner working regularly cannot work more than nine hours. The smooth working of the statutory system of shifts, combined with other changes recently introduced, will not be an easy task either for the industry or for the administration. There is the further consideration that, during the next few years, many miners will have difficulty in adjusting their work to meet the position caused by the exclusion of their women; and a fresh and drastic limitation of the kind involved in an 8 hour day might make adequate adjustment impossible. Finally, the industry still depends to a considerable extent on the miner who comes in for a few days from a village some distance away and desires to put in the maximum of work during that time in order to secure as long a period as possible at his home. The introduction of 8 hour shifts will tend to eliminate work of this kind. While we are not prepared to say that compelling the industry to depend on those classes of miners who

will live near their collieries and work regularly would ultimately prove a disadvantage, we do not think that the present is the best time for a definite step in this direction. On all grounds, therefore, we endorse the recommendation of the Select Committee.

A Minority View.

Mr Cliff, Mr Joshi and Diwan Chaman Lall dissent from our view and state that under the existing Statute a mine may open for twenty-four hours on each of the six working days. The statute permits daily shifts of twelve hours, but requires that the maximum weekly hours shall not exceed fifty-four for underground workers and sixty in the case of surface workers. The Chief Inspector of Mines admits that the checking of the number of hours worked by individual workers is difficult. In his view, this arrangement of hours, together with the number of adits at some collieries, lends itself to evasion and makes enforcement difficult, if not impracticable. It appears from the report of the Select Committee that, when the question of the limitation of daily hours was being discussed, one of the main considerations which led to the decision that it would be unwise to recommend a lower daily limit than 12 hours was the fear that the workers would be unable to maintain the current level of earnings. Some of the larger collieries are already working eight hour shifts, and other collieries are working ten hour shifts. It is significant that at such collieries the attendance and the level of earnings tend to be higher than prevail at collieries working longer hours and it is not suggested that earnings at such collieries are below the general level. In no other country is a twelve hour shift permissible, though the weekly limit in two countries is higher. They incline to the opinion that, from the standpoint of the coal industry, a reduction of the existing level of hours would be a paying proposition and hold that, from all points of view, it would be in the best interests of the worker. They therefore recommend that the present daily limit be reduced to eight hours.

Action in the Meantime.

In the meantime, we have two further recommendations to make. The weekly hours of work above ground should be reduced to 54, the limit suggested in the case of perennial factories. The enforcement of this limit should not give any serious difficulty. At present the irregular worker does not work up to his limit, and 54 hours is a long enough week for those who acquire regular habits of work. We also recommend that employers should make experiments during the period available to them before the further reduction of the daily limit is made. In particular, we should like to see the possibilities of 10 and 9 hour shifts explored, as well as the more usual 8 hour shift. The 10 hour shift is already in operation in more than one mine and it may well prove a useful halfway step, if the interval between shifts is properly utilised in clearing the output of the earlier and preparing facilities for the later shift.

The Exclusion of Women.

The second important change recently made in the law relating to mines is the introduction of the regulations for the prohibition of employment of women underground. Power to make such regulations was given in the Act of 1901 and renewed in 1923, but it was not exercised until 1929 when, after long discussion, the Governor General in Council made the present regulations. Their effect is to exclude women from underground workings forthwith, except in exempted mines, *i.e.*, except in coal mines in Bengal, Bihar and Orissa and the Central Provinces and salt mines in the Punjab. In these exempted mines the exclusion is to be gradual; the employment of women underground after 1st July 1929 has been limited to a percentage of the total underground labour force, 29% in coal mines and 40% in salt, to be reduced by 3% and 4% respectively each year, so that after 1st July 1939 women will be entirely excluded from underground workings

Effects in Metalliferous Mines.

The exempted mines included all but 3,000 women employed underground in 1928. Of these 3,000, nine-tenths worked in the mica mines. The owners informed us that they would find difficulty in replacing the women workers, but the Chief Inspector's report for 1929 seems to indicate that this difficulty is being surmounted. In the Punjab salt mines, where we found some difficulty in obtaining accurate figures of the numbers of women employed, we were told that the question of exclusion was not expected to arise for one or two years: meanwhile fresh women workers were being employed. We recommend that this practice be discontinued.

Effects in Collieries.

In collieries, the immediate results of the regulation have exceeded expectations and the table below gives the relevant figures of average numbers employed.

Category of workers.	Women.		Men.	
	1928.	1929.	1928.	1929.
Underground	**28,408**	**21,880**	**68,727**	**75,022**
Open workings	**8,019**	**7,945**	**9,443**	**10,793**
Surface	**13,445**	**12,652**	**36,097**	**37,366**
Total ..	**49,872**	**42,477**	**1,14,267**	**1,23,181**

The effects of this change must be increasingly felt as time goes on, but in some directions are not difficult to foresee. First and most

obvious is the loss of wages to the women, for whom alternative employment is not available and, where these are the wives or connections of the male workers, a corresponding reduction in the family income. Against this, in the opinion of competent observers, must be set the increased effort evoked by the new conditions and greater regularity of attendance on the part of male workers. If this proves to be the case, the change will be all for the good; but the adjustment is not likely to be easy and, for some years, special importance must be attached to providing every possible method of increasing the miner's efficiency. We recommend that, in order to mitigate hardship amongst women excluded or about to be excluded from underground workings, employers should reserve for them vacancies occurring among surface workers, wherever practicable. Secondly, since the work of women underground has been the loading of the cut coal into tubs, in future this work will have to be done by some other means, either by the coal cutter himself, by male workers or by machinery. Figures for 1929 show that the number of male loaders has increased from 8,774 in 1928 to 12,592 in 1929, *i.e.*, by 43%, so that this adjustment should not be difficult. Thirdly, the release of so many women of the miners' families from the industry should make possible the raising of the miners' standard of home life, with a consequent increase in their efficiency, to the benefit of employer and employed. But this advantage will not be gained without effort on the part of the employer, for, unless conditions of life on the collieries are improved, miners will not bring their women to the mining areas when their power to earn is gone, and these areas will not escape the evils resulting from a marked disparity in the sex ratio. In our opinion the introduction of improvements is not only a moral obligation but is also dictated by the interest of the employer.

The Ten Year Period.

We have given consideration to the suggestion made before us that there should be a shortening of the ten year period which has to elapse before women are completely excluded. It was suggested to us that the period would be shortened in practice, and that by 1934 there would be few women working underground. The employment figures for 1929 support this view. We trust the forecast will materialise, but in any case no recommendation of ours could take effect until a large part of the period had already expired. It is unwise to disturb an arrangement which was the outcome of so much discussion and, we therefore, make no recommendation for the statutory reduction of the period.

Open Workings.

The regulations for the exclusion of women do not apply to quarries and open workings, and some witnesses suggested that they should be extended to them. In their opinion the limitation to underground workings gives an unfair advantage in the market to coal raised from quarries. In particular, concerns working second class coal feel themselves handicapped in competing for the railway market with coal

from railway collieries, much of which is got from open workings. This last grievance has been removed by the voluntary adoption by the Railway Board of the substance of these regulations in the quarries under their control, and we have only to consider the question in reference to quarries in private ownership. Our view is that the existing regulations involve as great a disturbance of the economic position of women in the coalfield as is desirable at present, and we are not in favour of their extension to quarries on any grounds other than those of health. We think that arguments based on health considerations would be met by limitation of the permissible load for women where the depth and lead exceed a certain number of feet. The exact standards are a matter for expert consideration and we would leave them to be fixed by the Mining Boards on the advice of their technical and medical experts. We recommend that the Board, having fixed the standards, should register those workings in which they find they are exceeded, and require the managers of them, by regulation, to serve out to women in their employ baskets of a size not to exceed, when loaded, the maximum weight prescribed. We do not recommend any restriction where the depth and lead are less than the prescribed standard.

Method of Selection.

We have one other recommendation to make in connection with the exclusion of women. It is clear that the next year or two will raise a difficult problem in the selection of those who are put out of work in compliance with the regulation. One mine at least has evolved a workable system, but, on the whole, insufficient consideration has been given to this matter and we think that, having regard to the consequences of exclusion to the individual woman, as well as to her family, the industry should devise a fair and workable system which could be recommended to managers faced with the necessity of excluding considerable numbers in the near future. To this end we recommend early joint consideration of the matter by representatives of the employers, the workers and the inspectorate.

Age of Employment.

Under the present law, children under the age of 13 years may not be employed in mines either above or below ground and there are no half timers. We are of opinion that the starting age should be raised yet higher and, since no large number of young persons is employed, this could be done without detriment to the industry. We recommend that no child under the age of 14 years should in future be permitted to work in or about the mines.

Incidence of Accidents.

As is proper, a large part of the Act, and of the regulations and rules made under it, are directed to questions of safety. Up to 1923 the inspectorate was almost completely occupied with safety matters and, partly in consequence, this side of the regulating machinery is in advance

of that which deals with conditions of labour. The table below gives figures of accidents in mines since 1919 :—

Year.	Collieries.				Other mines.			
	Persons killed.	No. per 100,000 em-ployed.	Persons injured.	No. per 100,000 em-ployed.	Persons killed.	No. per 100,000 em-ployed.	Persons injured.	No. per 100,000 em-ployed.
1919	260	127	314	165	52	88	58	98
1920	172	98	240	136	53	91	61	105
1921	257	135	278	146	36	61	71	120
1922	209	113	243	132	34	77	57	129
1923	332	182	241	132	55	105	103	197
1924	230	123	299	160	51	72	125	176
1925	186	107	373	215	47	58	123	152
1926	171	100	367	215	56	63	173	193
1927	181	110	457	277	66	63	256	246
1928	218	133	455	277	41	40	228	220
1929	194	117	445	269	72	69	227	218

It is unfortunate that there has been no marked or regular decline in the accident rate of recent years, but we accept the evidence given to us that in the collieries there has, in fact, been progress in the prevention of accidents, even though it is concealed by factors tending in the opposite direction. Gradual exhaustion of the easier seams entails deeper mining and increasing resort to pillar extraction with an inevitable increase of risks, while the steady improvement in discipline and regularity of work is without doubt tending to greater safety. In the case of coal mines, we think that the presence in the mines of excessive numbers at certain periods also increases the accident rate and that a better level of individual output, with shorter hours, better disciplined working and better health among the workers, will all tend to lessen the incidence.

Reporting of Accidents.

Statistics as to non-fatal accidents are confined to those causing serious bodily injury, and the number, though low, has shown a substantial increase during recent years. We believe this to be due to better reporting and more accurate classification, rather than to a real increase in accidents. At the same time we are not satisfied that the information available in regard to non-fatal accidents is adequate. At present fatal accidents and those involving permanent loss of, or injury to, sight or hearing, fracture of a limb or enforced absence for 20 days must be reported by telephone or telegraph to the inspector and in writing to the Chief Inspector, through the District Magistrate. We would not disturb this arrangement, but we would add to the law a requirement that a report of all accidents likely to involve enforced absence in excess of the waiting period under the Workmen's Compensation Act should be sent each week to the Chief Inspector, through the

District Magistrate. We recommend this both for the better maintenance of safety statistics and for the better check of the working of the Compensation Act.

Training of the Miner.

The incidence of accidents is closely related to the character and skill of the labour employed. For instance, in Indian mines the untrained cultivator may be allowed to work at the face on his first day underground and, in the best of mines, the worker's illiteracy increases the difficulty of protecting him against danger. A large staff of trained men is maintained at most mines to look after the safety of miners, but conditions at the face change quickly and safety depends to a great extent on the skill and experience of the miner himself. We would invite the attention of employers to this factor in the safety of the mine and, while we do not think that statutory regulation is possible at the present stage, we suggest that owners and managers should ensure the newcomer not being started at work except under skilled supervision. More adequate practical training is especially important in view of the illiteracy and lack of education of the miner, for whom written warnings and instructions are of little use. In stone and similar quarries increased supervision of the use of explosives is especially necessary. First-aid classes are held in the major coalfields and, with the support of the inspectors, a fair number of men have been trained by this means. The ordinary miners should be encouraged to qualify in first aid, and we suggest to managers the grant of inducements to this end. Apart from the practical use of such a qualification, the training in itself has an educative value which makes it especially worthy to be recommended.

Mining Boards.

The Mines Act provides for the establishment of Mining Boards for the consideration of proposed legislation, settlement of disputes between inspectors and owners as to bye-laws and consideration of cases referred to the Board instead of to a court. These Boards have a government officer as chairman and, besides the Chief Inspector or his representative, include two nominees of employers and two nominees of Government, of whom one is to represent the workers' interests. We recommend elsewhere that these Boards should be given the task of deciding the minimum assumed output to be taken for the purpose of calculating the wages of underground workers; having regard to this additional function and to our general view that the workers should be given a greater voice in the industry, we recommend that the workers should have the same number of nominees on the Board as the employers, and that these should be chosen by Government after consultation with the workers' organisations, where these exist.

Courts of Enquiry.

Courts of Enquiry are regulated by Sections 21 and 22 of the Act as well as by rules. We understand that rules now being drawn up by local Governments will make it obligatory on the court to permit

relatives, employers and trade union representatives to appear and examine witnesses in an enquiry into a fatal accident. We think this desirable. We also recommend that in Section 22 the word "shall" be substituted for "may", in order to make publication of enquiry reports obligatory.

Inspectorate.

Having regard to the numbers and distribution of mines in India, the staff of inspectors employed is small. It consists of one chief inspector, three inspectors, five junior inspectors and one electrical inspector. For the administration of the Mines Act, unlike that of the Factories Act, the central Government is responsible and appoints the inspecting staff. The Chief Inspector, whose jurisdiction extends throughout India and Burma, has his headquarters at Dhanbad, close to the main coalfields, and his close co-operation with the provincial Governments, together with the posting of certain inspectors at convenient centres in other provinces, has resulted in the satisfactory working of the system everywhere except in Burma. In that province it has not been possible to station an inspector permanently, and, even if there were no question of the separation of the province, it would, in our view, be desirable for the Burma Government to take over the administration. Inspections increased from 564 in 1919 to 2,388 in 1929, the number of mines being practically the same. Until 1923, the Department was almost wholly concerned with technical and safety questions, but the Act of that year increased its work in every direction. Since then there has been considerable strengthening of the staff and additional relief afforded by the reduction in the number of coal mines since 1923. The exclusion of Burma should also be of material assistance. But the proper enforcement of the regulations dealing with the exclusion of women and of the new provisions regarding hours will necessitate a larger staff and our recommendations as to wages may also involve some further expansion. We think that the matter should receive early and sympathetic consideration. The mining community owes much to the high quality of the inspectors, and we would be reluctant to see any reduction in the qualifications required. But some of the work, such as inspection of quarries and more frequent checking of registers, might safely be given to a class of assistant inspector and we recommend that this possibility be examined: we also recommend that provincial and district public health officers be given the power and duty of inspection in regard to health matters. We desire to call attention to one further point in connection with administration. When substantial changes are made in the law, the industry is entitled to look to the Mines Department for assistance and advice as to measures which it is necessary to institute to conform to the new statutory provisions. We recommend that, in such cases, the Chief Inspector should take steps to confer with representatives of the employers and workpeople.

Boards of Health and Welfare.

We have dealt in another chapter with the general subject of the health of the industrial worker and have made recommendations for the

improvement of health administration by Governments and local authorities. It seems appropriate, however, to deal here with another form of health administration which is in force in two of the mining areas we have visited and which was evolved to meet their special needs. Owing to frequent outbreaks of cholera and small-pox among the mining populations and with the primary object of preventing these epidemic diseases, new sanitary authorities in the form of Boards of Health were constituted during 1915 and 1916 by the local Governments for the Asansol and Jharia mines areas. The membership of these Boards comprises officials, non-officials and representatives of the mineowners and royalty receivers. Both Boards have been remarkably successful in their main task. Not only have health organisations been built up to deal with the prevention of diseases, but medical arrangements have been improved, sanitation has been controlled and the question of housing of labour has also received considerable attention. The Jharia Mines Board, having more adequate powers, has perhaps made greater progress. In addition, the Jharia Water Board, specially constituted for the purpose, has been able to provide a large and permanent protected water-supply, which is now distributed over more than two-thirds of the area under its control. These are admirable achievements for which the mineowners must be given credit, the whole cost having been met from self-imposed cesses on owners and receivers of royalties.

Extension of Health and Welfare Activities.

As these Boards of Health have successfully served the purpose for which they were originally constituted, it is not surprising to find that they should look for other fields of activity. These lie to hand and have been already explored to some extent. For some years past the Asansol Mines Board of Health has maintained three certificated midwives to give free attendance and advice to the women of the mining settlement. The Jharia Mines Board has at present under consideration the construction of a central hospital, the extension of medical relief for women and the provision of maternity-relief and child-welfare centres. Some months ago the Jharia Board also sanctioned an experimental maternity scheme, and in November 1930, a Maternity Supervisor was appointed to supervise the work of midwives employed on a group of collieries in the centre of the coalfield. We deal in another chapter with general welfare activities, including those specifically affecting women, but we believe these to be legitimate extensions of the Boards' activities, and we recommend a policy of steady growth along these lines. In order that no doubt may arise as to the functions which the Boards may legitimately assume, we recommend that the Mining Settlement Acts, which provide for the control and sanitation of these areas in Bihar and in Bengal, should be amended accordingly and that the Boards be re-named Boards of Health and Welfare. We also recommend that each Board should be enlarged so as to give increased representation to employers and to include representatives of the workers, chosen where possible in consultation with their organisations, and at least one woman member.

Health in Giridih.

As this is one of the oldest established mining areas in India and the bulk of the property belongs to the State, circumstances would seem to make both an opportunity and a claim for model conditions. In actual fact, the physique of the people is poor, the general standard of health appeared to us to be unsatisfactory and water supplies and sanitation were defective. The health control is in the hands of a Railway District Medical Officer, whose headquarters lie outside the area. The immediate supervision is carried out by the hospital assistant surgeon, whilst the sanitary inspectors work under the control of the Superintendent or the District Engineer. We recommend that a full-time resident medical officer with public health qualifications be appointed forthwith and that a complete re-organisation of the health staff be effected. Only then will it be possible to carry out the many improvements calling for attention.

Educational Facilities.

Another activity of the Boards of Health and Welfare should be co-operation with the Government in improving and extending educational facilities. During our tour we visited a number of schools and heard a considerable amount of evidence as to the available educational facilities for the children of miners. In the Asansol area we came across a school run by the miners themselves, and evidence was also given of another such school in the Dhanbad area. We were throughout struck by the fact that success depended very largely on the attitude of the company managers, and that, in some cases, colliery schools were attended only by the children of clerks and higher grade workers, especially where managers did not directly encourage the attendance of the children of actual workers. In the Giridih colliery area no less than 17 schools are being run, and the extent of education among the children was markedly in advance of other mining areas. The Superintendent of the East Indian Railway Colliery Department stated that the management had exercised a form of compulsion in the matter of education for more than a generation, but that the miners now willingly send their children to school. In the Jharia area, where many different companies are involved, no such scheme operates and, indeed, the number of schools, both Government and colliery, has fallen since 1927 from 99 to 88. In his most recent report, the Chief Inspector of Mines emphasises the absence of any concerted movement in this area to bring the children of the workers under the provisions of the Bihar and Orissa Primary Education Act of 1919, although children under 13 years have been excluded from the mines since 1924. In view of this fact and as alternative employment for even the older children is scarce, we would press for the introduction of compulsory primary education in the coalfields. We have suggested elsewhere that Government should adopt the British practice of giving percentage grants towards expenditure on health and welfare measures, and this method

might be extended to approved activities of Boards of Health and Welfare in relation both to health and welfare and to education. In the salt mines of the Punjab no educational facilities are provided either by the Salt Revenue Department or by the Punjab Government. There are, however, District Board Schools both at Khewra and at Dandot, and an infant school at Warcha. We suggest that the Salt Department and the Punjab Government should co-operate with a view to the introduction of compulsory education in the Salt Range. We agree with the Chief Inspector of Mines that, in the case of the hereditary salt miners of Khewra, there is a field for the introduction of elementary education for both boys and girls on lines suited to their special circumstances and geographical isolation.

Conclusion.

Before we leave the mines, we wish to emphasise the fact that many of our recommendations, while designed to benefit labour, should equally benefit employers. In India, minerals and especially coal are so disposed that a large output per head should be possible. Such output is not obtained, nor can workers with a low standard of life be expected to produce it. Improvement in the standards and efficiency of the workers will solve many of the difficulties of the mining employer and must be secured by better health, shorter and more regular hours and more mechanical assistance. We are convinced that our proposals and better organisation will bring about a substantial improvement in the economic position of all engaged in the industry.

CHAPTER IX.—RAILWAYS.

In this and the following chapter we deal with questions affecting labour on railways. During the three quarters of a century of their existence, service conditions have been created which now constitute numerous and varied problems requiring special attention. In this chapter are indicated the extent of the railway systems and the nature of the administrations responsible for their working. We describe the methods of recruitment of workers and recommend more extensive use of employment officers and selection committees with a view to the elimination of complaints regarding appointments and promotions. We deal with the lack of uniformity in holiday and leave rules and go on to discuss in some detail questions of wages, including methods of payment, standardisation, provident funds and deductions from earnings.

In the following chapter we refer to hours of employment and to the desirability of giving fuller effect to the provisions of the ratified conventions relating to hours of work and rest periods. Suggestions are made for dealing with appeals against disciplinary actions with a view to removing grievances about insecurity of service, and then proposals for improved methods of regulating the relations between administrations and workers are discussed at some length. We make recommendations for setting up joint standing machinery, including Local and Divisional Committees, Railway Councils, a Central Board and finally a Tribunal to which reference may ultimately be made in the event of preceding negotiations not resulting in a settlement. The chapter ends with a reference to health and welfare activities and to other matters which are dealt with in greater detail elsewhere in our Report.

Railway Systems.

Railways in India cover a wide expanse, the total route mileage of 41,000 miles being in excess of that in any other country save the United States of America. With a total staff of over 800,000, the railway administrations are the largest employers of organised labour in India, and their working policy as regards wages and other terms of employment reacts to some extent on industrial labour conditions throughout the country. The earliest railways in India were short lines constructed in the vicinity of Bombay, Calcutta and Madras between the years 1853 and 1856 by companies incorporated in England. It was not long, however, before the Government of India definitely adopted the policy of direct construction and ownership, and although a system of construction and management by the agency of companies continued, there has been a gradual change-over, until now 72 per cent of the total route mileage is owned and 45 per cent is directly managed by the State. For statistical purposes, Indian Railway systems are divided into three classes, namely, Class I, where the gross earnings of the system reach Rs. 50 lakhs in a year; Class II, where they are less than that amount and more than Rs. 10 lakhs, and Class III, where they are not

more than Rs. 10 lakhs. Class I systems have a total route mileage of 37,000, and the others of 3,000 and 1,000 miles respectively.

In accordance with our terms of reference, our enquiries have been limited to the lines running through British India only, thereby excluding from our survey two Class I railways with a route mileage of 2,000 miles and employing about 23,000 workers. Of the remaining twelve Class I railways, five are state-owned and state-managed, five are state-owned and company-managed, and two are both owned and managed by companies. We have received written evidence from each and in addition have had the advantage of hearing evidence given on behalf of nine of the administrations and of workers' organisations connected with eight of them. Our arrangements did not permit of oral evidence being taken in connection with the two company-owned railways or the smallest state-owned company-managed line, employing between the three about 50,000 workers and covering a route mileage of less than 4,000 miles. There was also submitted to us written and oral evidence from the members of the Railway Board, and we desire to express our appreciation of the assistance rendered us by them and by railwaymen generally, while making detailed enquiries into the working conditions on the different railways.

Railway Administration.

Before proceeding to state the result of these enquiries, it is necessary to refer to the position occupied by the Railway Board in the administration of Indian railways. Control over the operations of the railway companies was at first secured through the appointment by the Government of India of consulting engineers and later through administrative and secretariat appointments in the Public Works Department of the Government of India. A Railway Board was constituted in 1905 and reorganised in 1922 when a Chief Commissioner was appointed to act as President without being liable to be over-ruled by his colleagues on the Board. In 1924 a Financial Commissioner was added and from that date until the spring of 1929 the Railway Board consisted of four members, one of whom dealt with general administration, personnel and traffic subjects. The transfer of more railways from company to State management and the increasing complexity of the labour problems necessitated the addition to the Board of a special member to deal with questions concerning staff in general and labour in particular. This member has the assistance of a Director and Deputy Director of Establishment and since 1929 the problems of railway labour have been receiving special attention.

The Railway Board is directly responsible to the Government of India for the administration of state-owned railways managed by the State and have complete administrative authority over the general managers or agents of these railways, to whom considerable powers have been delegated. Within the grants at their disposal, the agents are competent to create most of the higher subordinate and all the lower posts and to grant additional pay to individuals; they also have full

control over the non-pensionable subordinate establishment in matters of appointment, promotions, dismissals, leave, etc. In the case of company-managed railways, the agents are primarily responsible to their respective Boards of Directors, who enjoy extensive powers in administrative questions. In financial matters their powers are on a par with those exercised by the agents of state-managed railways and the budget demands of company-managed lines are subject to scrutiny and approval by the Railway Board. In establishment and labour questions, the Railway Board states it is not in a position to enforce its policy on the company-managed railways. It can suggest reforms and improvements, but the men employed on such railways are the servants of the companies concerned and, while it has been the custom for company-managed railways to give due consideration to the suggestions of the Railway Board, there has been no uniformity of practice in the treatment of labour matters. There are factors peculiar to each railway which have an important bearing on the conditions of labour pertaining to that particular line. Among these are the length of the railway, the territories through which it passes, the climatic, ethnological and other features peculiar to those territories the intellectual and industrial progress made by the people living therein, the scope such progress affords for the satisfactory recruitment of railway labour and the other avenues of employment open to labour. Not less important are variations in the nature and extent of the traffic available and in the earning capacity of one railway as compared with another. As an offset to these factors may be placed the natural tendency for each railway to be affected by any scheme of improvement in conditions on an adjacent line, a tendency strengthened by the workmen's associations which are not slow to claim, and press for, the extension of similar schemes to their railway. The general working policy of the Railway Board, as a central controlling body representing the Government of India, acts as a co-ordinating force, while the Indian Railway Conference Association, to which we refer later, also makes its influence felt when labour questions affecting more than one railway are under consideration.

Recruitment of Labour.

We now proceed to a detailed examination of the conditions obtaining on Indian railways and of the problems to which they give rise. The supply of labour available locally is generally in excess of requirements, except in outlying areas where the local supply is supplemented by immigrants from distant parts. Temporary labour required for the construction of new lines or on large open-line works is usually recruited locally or imported by contractors to whom such works are let out on contract. These workers, however, form only a small proportion of the great body of labour employed on railways. The main classes of employees engaged in the maintenance and running of railways may be divided into three groups, namely :—(1) labour employed in the engineering department on the maintenance of the permanent way;

(2) labour employed in the transportation and commercial departments, including station, running and shed staffs; and (3) labour employed in the workshops of the mechanical departments.

Engineering.

The engineering department gives employment to the largest single class of labour, namely, gangmen who are largely unskilled and consist mainly of hereditary agriculturalists with a decided preference for agricultural work. As a result, being generally recruited locally, they are inclined to absent themselves at sowing and harvest seasons in order to work on the land. They are engaged by the permanent way inspectors who also appoint the semi-skilled workers. The skilled artisans are partly recruited by these inspectors or by works subordinates concerned. We recommend that proper registers be kept of all workers appointed to this department and that inspectors and other officers concerned should be required to report appointments and dismissals without delay for entry in the registers. These registers should be regularly examined by administrative and personnel officers with a view to ascertaining whether the labour turnover is larger than it should be and, if so, to taking immediate steps to remove the causes.

Transportation and Commercial.

The transportation and commercial departments cover a wide range. Porters and other unskilled workers about the stations are usually recruited by station masters or traffic inspectors. The latter also appoint pointsmen, signalmen, shunting porters and other semi-skilled labour, while artisans and other skilled workers are appointed by senior subordinates. We recommend that, as in the case of the engineering department, appointments to and dismissals from all these posts be reported and proper registers kept and examined. Similar procedure should be adopted for the appointment of fitters, cleaners and similar workers in the locomotive sheds. We further recommend that firemen, shunters and drivers should be selected for appointment and promotion by selection boards or committees as is already the practice on some railways for signallers, assistant station masters, guards, goods and coaching clerks, and other literate employees who are required to pass examinations. We are informed that the system of recruitment by selection boards or committees is now being more generally adopted in the case of the staff required to fill those categories classed as literate and also classes in which employees start as apprentices. This system should tend to eliminate possibilities of personal bias and favouritism. We therefore recommend that it should be put into force on all railways in connection with both recruitment and promotion of employees in all these classes. We welcome the increasing provision of opportunities for training and apprenticeships as the extension of these facilities will be of immense assistance in securing increased efficiency. Sons and other near relations of railway servants, particularly those living in

railway colonies, have a special claim to enter the service, and we therefore recommend that, wherever possible, facilities for suitable education and training be afforded them. Elsewhere the question of education of workers and their children is dealt with ; but, in view of the policy formulated by the Railway Board as the result of the recent enquiry by an officer of the Indian Educational Service, our opinion is that existing facilities should be continued until such time as suitable alternative provision is made.

Mechanical Workshops.

The other important class of railway servants to be considered is that engaged in large workshops, usually locomotive, carriage and wagon shops, where labour is recruited as and when required. The supply of unskilled labour is plentiful, and the general practice is for candidates to be appointed by works managers on the recommendation of foremen. It appears that, as a rule, semi-skilled men are recruited by promotion after acquiring some skill and experience in the unskilled ranks, and some ultimately develop into skilled workers earning promotion according to merit. Other skilled labour is obtained from outside applicants trained in particular trades and, to a small but increasing extent, from apprentices drawn from literate or semi-literate classes and trained in the shops for periods of from four to six years. Unlike the maintenance staff and those grades who perform their duties along the lines under conditions that make the adoption of new methods of recruitment difficult, if not impracticable, large bodies of workshop employees are concentrated in particular centres and live and work under conditions that lend themselves readily to improved systems of recruitment and appointment. Already the recruitment of labourers and artisans in some of the mechanical shops is arranged by labour bureaux. These, with the assistance of the works managers and foremen concerned, select men who, after suitable tests under the supervision of employment officers or assistant employment officers, are rated according to ability by these officers and appointed accordingly. We believe that this system could be developed and, together with the system of selection boards or committees already mentioned, would enable almost all the employees in the larger workshops and many of the lower paid workers at large stations to be recruited, appointed and promoted in a manner that would go a long way towards removing grounds for complaints of favouritism and bribery. These principles, if more widely applied, should prove of the greatest value, not only to the workers in the lower grades, but also to the supervising and other staffs against whom complaints are made. It is naturally difficult to obtain direct evidence from either givers or takers of bribes, but there is a widespread belief that employment and promotion can be materially assisted by methods which ought not to be possible in highly organised services. The elimination of bribery depends most upon the spread of knowledge and the development of character. Its complete elimination, therefore

will take time, but the railway administrations can materially assist by making known to all employees and applicants for employment that under no circumstances should bribes be offered. All new entrants should be handed a printed statement of their duties and rights in the service, which should also contain a warning to the effect that evidence of the giving or receiving of bribes will result in the services of those concerned being summarily terminated. The general adoption of regular scrutinies of registers of lower grades of labour and the appointment and promotion of as many grades as possible with the aid of labour bureaux and selection boards should greatly assist in removing causes for complaint.

Medical Examination.

Candidates for employment are required to undergo a medical examination by railway medical officers who decide whether or not applicants reach the prescribed standard of vision and general physical health. Further examinations take place as and when considered necessary by the administration and its medical advisers. If a worker, after being confirmed in the service, is required to undergo a further medical examination, it seems fair that, in the event of an adverse medical report being received, the worker should be afforded, if he so desires, the right to be examined by an independent specialist. We suggest that the selection of these specialists should be made by the head of the Medical Department in each province. The report of such specialist should be forwarded to the appropriate administrative officer of the railway concerned. To prevent unnecessary appeals, a reasonable deposit should accompany the appeal against the certificate of the railway medical officer and be liable to forfeiture at the instance of the specialist. Should a worker be considered medically unfit for the post held by him at the time of such examination, every effort should be made to find him other work of which he may still be capable.

Racial Discrimination.

A substantial amount of evidence was put before us on the subject of racial discrimination. So far as railways are concerned, the term is generally used to denote discrimination in respect of appointments, pay, promotion and other matters in favour of Europeans or Anglo-Indians; in the case of the latter, communal discrimination would be a more accurate term. When the railways were being built up, the officers and responsible subordinate grades were filled almost exclusively from these classes, and in very early days educated Indians did not seek employment of this character. Until recent years, preference was shown in respect of appointments and other matters to Europeans and Anglo-Indians on all railways and particularly on company-managed railways. With the question of recruitment of officers we are not directly concerned, but it may be remarked that the policy of Indianisation laid down by the Royal Commission on the Superior Civil Services in India in 1924 is now followed. The main field of controversy now is

that of appointment to the better-paid subordinate grades. The present position is illustrated in the following table relating to twelve Class I railways :—

Class of employees.	Europeans.	Anglo-Indians.	Hindus, Muslims and other Indians.	Total staff.
Gazetted officers	1,394	160	519	2,073
Subordinates drawing Rs. 250 per month and over ..	2,045	3,777	2,935	8,757
Subordinates drawing less than Rs. 250 per month ..	1,397	10,064	736,465	747,926
	4,836	14,001	739,919	758,756

It has been stated to us that particular grades of railway service are reserved, in practice if not by rule, for Anglo-Indians and that other Indians seeking employment of that type have to enter on lower pay. Partly in consequence of this, the former class receives advantages in respect of promotion and other matters which are not open to all. On behalf of the Anglo-Indians it has been urged that they have a higher standard of living than other Indians, and that they cannot enter at the lower levels.

The Government of India have declared their policy to be the elimination of racial discrimination, and we have been supplied by the Railway Board with a memorandum detailing the steps which have been taken and will be taken to give effect to this policy. So far as those in the service are concerned, the memorandum observes that it is not practicable to withdraw concessions from those who enjoyed them before the policy of the elimination of racial discrimination began to be actively pursued, and this position is not seriously disputed. The question of future recruitment stands in a different category. Here the ordinary principle of recruitment solely on the basis of merit without regard to race or community, is modified in two directions. In the first place, the Government of India, in order to secure adequate representation of minority communities, have adopted the policy of reserving one-third of the vacancies in any competitive examination for the redress of marked communal inequalities. In effect this policy means that if the minority communities (*i.e.*, Musalmans, Sikhs and others, including Anglo-Indians) do not obtain a third of the vacancies by simple competition, candidates belonging to these communities who are qualified may be preferred to better qualified candidates of the majority community. In the second place, the Government of India

have laid it down that "no step should be taken which would produce a sudden and violent dislocation in the economic life of the Anglo-Indian community" and that "in order to avert this danger, care must be taken in the preparation of schemes for recruitment to the subordinate railway services, not to impose conditions which would in effect seriously restrict the opportunities of employment on the Indian Railways which Anglo-Indians at present enjoy." Our difficulty in dealing with this question is that both of these principles are based on considerations which lie entirely outside our scope. They have been evolved with reference not to labour but to political issues. In consequence, we are not in a position to review the question as a whole; this must be the concern of those who are responsible for general policy, *i.e.*, of the framers of the constitution, of Governments and of legislatures. We would urge, however, in the interests of labour, the importance of doing all that is possible to remove what is at present a constant source of discontent and bitterness. The Government of India recognise that the second of the two principles does not stand in the same category as the first, in that the elimination of the discrimination involved in it is their definite policy. We believe it to be in the interests of all concerned that definite steps be now taken which will lead in a specified term of years to the progressive elimination of any form of discrimination as regards both appointments and promotions to all grades and classes, thus providing simultaneously for an increasing number of appointments and promotions of members of other communities. All communities would then know precisely where they stood and every year would thus see progress towards elimination.

Holidays and Leave.

We now turn to questions relating to holidays and leave. The position is complicated by the partial application of the Fundamental Rules and the introduction of various sets of leave periods that differ, not only between railway and railway but also between similar departments in the same railway. The distinctions drawn between higher and lower grades are very marked, as also are those between monthly and daily-rated servants. In the large workshops where, as a rule, labourers are on daily rates of pay, it is customary to allow workers about 15 holidays on full pay: on one railway the number falls as low as 6, in another it rises to 20, and in yet another regular attendance may result in 29 holidays on full pay, in addition to the prescribed weekly rest day and some local holidays for which no pay is given. In one large workshop workers employed on monthly rates have leave determined according to scales of pay; a worker of one year's service drawing less than Rs. 21 monthly is not eligible for leave, but in common with others gets 15 holidays without deduction of pay; a worker in receipt of Rs. 45 monthly or over is eligible for 15 days' casual leave annually on full pay, one day's privilege leave on full pay for eleven days' duty, sick leave on half pay and special leave not exceeding six months on half pay. Yet in a similar large workshop not many miles away under the same administration, the same

type of worker earning Rs. 45 monthly or over is not entitled to leave but gets 15 holidays. Other railway workers also are said to be allowed gazetted holidays according to the exigencies of the service, which in effect means that they are not allowed to persons whose duties are connected with the movement of trains. To compensate for this, labourers employed in sheds and train-examining stations, station menials and others usually placed on the same footing as workshop employees, are entitled to about 15 days' casual leave in lieu of holidays ; but, owing to the lack of reserve and other reasons, such leave is not always obtainable. Indeed, it is evident that many workers never receive any leave, although their duties require them to be on call every day of the year. On state-managed railways, several classes of monthly-rated menials earn leave under the Fundamental Rules, subject however to the condition that 'no extra cost' is imposed on the State. Yet on one of these railways, formerly under company management, office menials of one year's service continue, under the old rules which were modelled on the Fundamental Leave Rules, to be entitled to a month's leave on full pay, and other members of the menial staff are entitled to the leave privileges accorded to subordinate staff.

Revised Leave Rules.

The rules applicable to subordinate staff on state-managed railways differ widely from those obtaining on company-managed railways. If the leave terms applicable to the subordinate staff, on state-managed railways in particular, were effective, in our opinion they would be too liberal and require revision. We do not believe it was the intention of the framers of the Fundamental Rules that they should be capable of application to all classes of railway servants. In the recently revised leave rules issued for Government servants employed in the Railway Department, an effort has been made to bring railway practice more into line with railway service requirements. The 'no extra cost' condition is no longer to serve as a bar to lower grade employees taking leave, although such leave will not be cumulative. Provision has been made for leave on full pay, graduated according to service, for all workers of three or more years' service, with an amount of specified leave on half pay under medical certificate. We are of the opinion, however, that the leave rules are capable of further improvement, and recommend continued examination of the whole subject in consultation with representatives of the workers. In the workshops, for instance, employees are able to avail themselves of the many gazetted holidays with full pay, while this privilege is not possible for workers in other branches, most of whom for various reasons are unable to take full advantage of such casual leave as is permissible in lieu of holidays. In our opinion, these and other different conditions of service should be taken into account in framing and determining leave rules. Under the new rules the grant of leave continues, subject to the exigencies of the service; it cannot be claimed as a right and may be withheld in cases of irregular attendance. An employee's right to leave must naturally be subject to

certain qualifications and limitations, but these should be more clearly defined. Irregular attendance, for instance, should be defined and, where the exigencies of the service at any time prevent an employee from going on leave, it should be made available to him at a later time. Workers complain of the delay in dealing with applications and of the difficulty in obtaining leave. The administrations in reply state that this is due not so much to inadequacy of relieving staff as to the general desire of the workpeople to take leave about the same time, *e.g.*, during the marriage season. Workers must recognise that leave cannot always be granted when desired, but the administrations should endeavour to maintain reserves adequate to meet requirements spread over the year. Whether leave should be taken within a year or allowed to accumulate, or whether both systems should operate according to the preferences of different classes of employees, are matters capable of mutual settlement between the administrations and the workers or their representatives. Where it is possible to arrange for leave to be cumulative, we incline to the opinion that such leave should not accumulate for more than three years, *i.e.*, if a worker is entitled to 10 days leave per annum, the maximum leave obtainable at one time should not exceed thirty days. Special cases may require special consideration, *e.g.*, men serving in outlying areas, such as Assam and Burma, and servants with long and approved service under special circumstances might, in the discretion of the administration, be given special leave without pay. Ordinarily, however, it should be possible to arrange for employees, after one year's continuous service, to be given the opportunity of annual leave, if desired.

Labour Costs.

We now proceed to a review of the position as regards wages. We have received statements concerning the twelve principal lines operating in British India which, according to the figures supplied in the Railway Board's memorandum, employed on 31st March 1929 a staff of 758,756, including 2,073 gazetted officers, but excluding contractors' labour engaged in various branches. Statements contained in the annual reports of the Railway Board show the number and cost of all staff employed on the twelve Class I railways on 31st March 1929, to be 776,042, costing Rs. 38,46,12,603. This comprises superior and subordinate staff, including permanent and temporary labourers on open line and construction work, but excludes contractors' labour. The figure of cost includes the salaries and wages of staff, bonus contributions to the provident funds, gratuities, overtime and all other allowances, excepting travelling or similar allowances not in the nature of extra pay. We have been supplied with a further statement which, in addition, excludes gazetted officers and railway staff employed on construction and in mines and provides an analysis of numbers and monthly cost of all subordinate staff, including permanent and temporary labourers employed in connection with open line working on 1st October 1929. We have extracted from this the following particulars of the total cost for the month of September 1929, including the pay of this staff, overtime and

allowances as stated, but not bonus contributions to the provident funds or gratuities :—

Department.	Total staff as above.	Per cent of total.	Total cost for September 1929.	Per cent of total cost.	Average monthly cost per worker.
			Rs.		Rs.
Engineering, i.e., Permanent Way and related works staff	244,310	33	44,31,940	17	18
Transportation, i.e., Train, Loco. running and relative staff in yards and Loco. sheds	145,558	19	71,11,709	27	49
Commercial, i.e., staff at stations and in Goods sheds..	118,657	16	45,46,240	17·5	38
Mechanical Workshops, i.e., Loco., Carriage and Wagon	122,437	17	50,49,155	19	41
Electrical and Signal ..	22,293	3	8,86,799	3·5	40
Stores, Medical, Accounts, etc, ...	50,273	7	16,53,251	6	33
Office Staff at Head and Divisional or District Offices only, excluding workshops	38,209	5	26,62,271	10	70
Total ..	741,737	100	2,63,41,365	100	35

This analysis shows that, while the engineering departments formed one-third of the total subordinate staff, their pay amounted to only one-sixth of the monthly wages bill, with an average of Rs. 18 per worker. The transportation and commercial departments gave employment to rather more than one-third of the staff, with an average pay of Rs. 44 per worker. The loco., carriage and wagon workshops with the electrical and signal departments absorbed one-fifth of the staff with average pay of Rs. 40 per worker. Excluding office staff, the average pay of the subordinate staff for September 1929 came to nearly Rs. 34. Since then increased rates of pay have been granted to lower paid workers on four railways, which will raise the overall monthly average to a small extent. In addition to the cash earnings of railway workers, there are a number of perquisites or payments in kind, *e.g.*, free quarters, uniforms and clothing, which are mainly dictated by service requirements, and free passes, free medical attendance, educational and other concessions. It is not possible to place a value on these without detailed enquiry as to the extent to which such payments in kind are

actually received. The same may also be said of bonus additions to provident funds and gratuity benefits, especially as we are informed that only about one-third of the workers are actual subscribers to Railway Provident Funds. The cumulative value of these concessions and additions to ordinary wages is considerable, and those railway workers in receipt of them undoubtedly have advantages enjoyed by few industrial workers. We have been furnished with comparisons of rates of wages ruling in different industries and deal with this question in another section of our Report. Here we need only express the opinion that railway service is becoming increasingly attractive, with the result that not only is a better type of applicant available, but the supply generally is in excess of requirements.

Wage Movements.

In pre-war days, wages were fixed in accordance with the rates prevailing in other industries. In recent years, however, rates have been revised to meet changed conditions in the cost of living and improved standards of comfort, and, although there are differences of opinion on this subject, it may be accepted that the law of supply and demand has ceased to be the sole determining factor. Except in one or two cases, service agreements contain no reference to rates of wages, although schedules of rates are in existence on all railways. There is no uniformity of practice on the various railways or even in similar departments of the same railway. Pay generally is fixed on an incremental basis so as to admit of the grant of increases as an employee's service and age increase. Certain classes are divided into grades, and promotion from one grade to another depends on the occurrence of a vacancy in the higher grade and on the suitability of the men for such promotion. As a rule the initial pay given is the minimum pay of the scale, although exceptions are frequently made, for example in the case of labourers and of men recruited for some workshops who, after trade tests, have their initial pay fixed according to skill. Complaints are made that there are too many grades, that men are blocked for years in lower grades until vacancies occur in the higher, and that the wages of railway workers are not based on the principle of a living wage.

Revisions of Wages.

We have been supplied with statements regarding revisions of wages made during the war and post-war years to meet the changes in the cost of living. War allowances were given on various railways from 1917 and increased from time to time, until they were merged in general revisions of the scale of pay carried out between the years 1920 and 1922. We are informed by the Railway Board that the scheme of revision was framed with due regard to the increased cost of living in the various provinces traversed by the several railways and that, as the lower paid employees were particularly affected by the increase in the cost of the necessaries of life, the percentages were fixed on a sliding scale, giving much larger proportionate increases in the lower grades. The following table indicates the percentages of increase over 1914 scales of pay

which were merged in the general revision of 1920. Figures are given for each of six railways (A. B. C. D. E. F.) operating in different parts of the country and take no account of grain compensation or other allowances :—

Pre-war monthly rates of pay.	Percentage increase on railways with headquarters in					
	Punjab	Bombay		Bengal	Madras	
Rs.	A	B	C	D	E	F
10	70	70	55	60	50	35
15	73	73	53	53	67	47
20	65	65	50	50	55	40
25	52	52	52	52	44	48
30	50	50	50	50	37	40
35	51	51	51	51	37	34
40	50	50	50	50	35	37

In the case of some railways, where workers were receiving Rs. 6 and under, wages were raised to Rs. 12 in 1920.

In view of the fall in the cost of living in recent years, there was, in the opinion of the Board, no occasion to undertake a further revision of a general character, although pay meantime has been improved in individual grades and classes, the resulting cost in the aggregate being considerable. We are also informed that an officer placed on special duty with the Railway Board reported, after an enquiry, that in the revisions of scales of pay immediately following the war, railway employees had fared appreciably better than local Government employees on corresponding rates of pay. The numbers of grades and varying scales of pay rising on an incremental basis, as well as promotions from one grade to another, make it difficult to give a detailed comparison of increases in wages. We have been furnished by the Railway Board with statements showing scales of pay of important classes. From these we have selected gangmen, pointsmen, ticket collectors and signallers as representative of workers whose wages are not materially affected by overtime, mileage or other allowances. In the Appendix to this chapter we give a comparison of the minimum scales of pay of these selected grades on the six railways included in the above table. This statement shows the minimum rates ruling in 1914, 1921 and 1929; but, as these rates in some cases apply only to certain sections of the lines, we have given both the minimum and the maximum scales in force in 1929 before the recent revisions sanctioned by the Railway Board came into effect.

Figures have been supplied to indicate the improvements in wage earnings since 1914. Taking labour alone, *i.e.*, all employees except supervisory and clerical staff, the Railway Board estimate the rise in the average wage in 1928-29 over that in 1913-14 as approximately 124%, after taking into account a rise of 26% in the number of employees

on all railways. We recognise the danger of making comparisons of this description, in view of the expansion that has taken place in railways since 1914, the increase in the volume of business handled and the consequential increase in staff and working costs. We have extracted from the annual reports of the Railway Board the following figures, showing the increases since 1914 in route mileage, in traffic expressed in terms of passenger and ton miles, in working expenses and in staff numbers and cost on the twelve Class I railways under examination, namely :—

	1913-14.	1928-29.	Increase per cent over 1913-14.
Route mileage	30,533	34,689	14
Passenger miles (in millions)	15,707	20,705	32
Ton miles (in millions)	15,213	21,209	39
Working Expenses (in lakhs)	Rs. 3,129	6,961	122
Number of employees (excluding construction and contractor labour)	597,415	751,808	26
Cost of above in lakhs	Rs. 1,362	3,726	173
Cost after allowing for increase of 26% in number of employees	Rs. 1,715	3,726	117

These figures cover all staff, superior and subordinate, permanent and temporary, employed on open line, excluding construction staff and all contractors' staff. The 1928-29 figures, however, include bonus contributions to the Provident Fund and gratuities not debited in 1913-14 and to that extent differ from the pre-war year's figures. Nevertheless the comparison bears out the Railway Board's estimate of the increase in labour costs and gives an indication of the increase in earnings of railway workers since 1914. On the other hand, the index figures of the cost of living published in the *Labour Gazette* of the Government of Bombay indicate a fall in the percentage increase over July 1914 from the 1920 average of 90% to an average of 48% for 1929 and to 22% at the end of 1930. Although the position of railway workers generally would appear to have improved considerably in recent years, as regards both earning capacity and buying power, the Railway Board recognise that accepted standards are being raised, and what would have been regarded as satisfactory even ten years ago is no longer sufficient. Early in 1929, therefore, they set on foot a systematic examination of the service conditions of lower paid employees, with the result that revised scales of pay for these employees have been sanctioned and put into effect on

three of the state-owned and state-managed railways at an estimated annual cost of Rs. 26 lakhs per annum. Revisions of pay have also been sanctioned for two of the company-managed railways, involving additional expenditure of over Rs. 6 lakhs annually, and it is stated that elsewhere similar improvements are under discussion. Moreover, enquiries as to the pay of other subordinate employees on scales higher than those recently revised or under revision have been instituted. We appreciate the difficulties caused by the present depression in trade and realise that the extent and rate of the desired improvements are conditioned by the ability of the railways and of traffic to bear the additional expenditure required. It must be kept in view, however, that of 759,000 employees on the twelve Class I railways under review on 31st March 1930, 408,000 or 54% were in receipt of less than Rs. 20 per month. We recommend, therefore, that the claims of low paid workers to improved wage standards should continue to receive careful consideration from the Railway Board and the administrations concerned.

Methods of Payment.

Except for piece-work, which is in vogue to some extent in the workshops of several railways, wages are rated by the day or by the month. As almost all wages are paid monthly, workers generally can be divided into those daily-rated monthly-paid and those monthly-rated monthly-paid. The workers in the loco., carriage and wagon shops are practically all daily-rated, with the exception of those employed in certain shops of two railways, who are monthly-rated. It has been urged that all workers should be monthly-rated so that those now daily-rated may be entitled to all the privileges open to monthly workers, including liberty to join provident funds. Already in some cases provision is made allowing daily-rated workers to join provident funds, and lately orders have been issued under which daily-rated workers in state-managed railways, after three years' service, will be entitled to a month's notice or a month's pay in lieu of notice. As few workers in other branches of the service are daily-rated, we recommend that, after twelve months' continuous service, all employees should be monthly-rated and, as soon as practicable, made eligible for all the service privileges to which monthly-rated employees are entitled. In connection with proposals we make elsewhere, we should observe that we do not consider the monthly-rated status incompatible with payment at shorter intervals than a month.

We are informed that enquiries are being made with a view to improving the system of grading in cases where incremental scales of pay are in force, in order to meet complaints that increments are too small and blocks in promotion prolonged. Time-scales, *i.e.*, fixed periodical increases, are in force in some departments and not in others. We consider these enquiries should be extended to cover the comparative merits of the system of time-scales and that of beginners' rates increasing within a short period to fixed standard rates. The latter system appears to us, under existing conditions, to be suitable for application to certain

classes of railway workmen, *e g.*, those engaged in maintenance of permanent way and works and in certain departments of workshops. In other branches of the service there may be difficulties in effecting changes in established custom, and we agree there is much to be said for a system which, by the grant of increments for approved service, encourages the able and willing worker to attain higher standards of skill and efficiency, with increasing rates of pay. Under either system the worker must be satisfied he is getting a fair deal. The same may be said of the different systems of piece-work and payment by results that have been introduced in several railway workshops. They provide additional incentives to the industrious and capable workman to improve his output and increase his earnings. So long as it is understood that changes in method provide the only justification for alterations in bases of calculation (except in the event of mistakes clearly apparent to both employer and employee), we consider there is room for extension of bonus and similar systems in railway workshops generally.

Standardisation of Wages.

We have been informed that more than one administration has already standardised wages, as far as possible, for all grades of employees in each area, with minimum and maximum rates of pay for each class of each branch of the service. But, owing to the different conditions existing in various parts of the country, standard rates of pay have not been fixed for the railways as a whole. Here, as elsewhere in the evidence we find indications that replies to our enquiries have been made on the assumption that the practical difficulties in the way of standardisation on a national basis rule out the possibility of larger measures of standardisation than have been attempted hitherto in this country. The Railway Board shows a better appreciation of the position. In referring to the benefits derived from organisation on a divisional basis, they state that standardisation of wages on such railways is aimed at, due regard being paid to local conditions, and that it is probable the tendency towards standardisation will become more marked as time goes on. We believe it is possible to extend this further and recommend that additional steps be taken to fix standard rates for similar classes and grades of labour, subject only to variation in districts where there are material differences in economic conditions. Existing disparities in wages and service conditions, for instance, at centres which are the termini of more than one railway and in workshops not far from each other should be examined, and, wherever possible, action should be taken to remove discontent caused by the present inequalities.

Provident Funds.

Complaints have been made of the working of Provident Fund Rules, in particular that all employees are not eligible for membership. Provident Funds have been established on every railway in India, except one employing only 2,278 workers. Exclusive of staff employed on construction, there were 819,000 railway employees in India on 31st

March 1930, 465,000 or 56% in connection with state-managed railways and 354,000 on other lines. The following statement gives figures of those in receipt (1) of less than Rs. 20 per month and (2) of Rs. 20 or more and also shows the numbers of subscribers to the State Railway Provident Fund and other Railway Provident Funds on 31st March 1930:—

Railways.	All-India Railway employees.			Provident Fund subscribers.		
	In receipt of less than Rs. 20 p. m.	In receipt of Rs. 20 p. m. or more.	Total.	In receipt of less than Rs. 20 p. m.	In receipt of Rs. 20 p. m. or more.	Total.
State ..	240,011	225,445	465,456	2,109	138,593	140,702
Others ..	207,054	146,548	353,602	9,308	105,197	114,505
Totals ..	447,065	371,993	819,058	11,417	243,790	255,207
12 Class I ..	408,113	350,796	758,909	10,797	230,149	240,946
Rest ..	38,952	21,197	60,149	620	13,641	14,261

This analysis shows that only 31% of railway employees actually subscribe to provident funds and that, while 65% of employees in receipt of Rs. 20 per month or more are subscribers, not 3% of those drawing less than Rs. 20 monthly are members. No provision is made for workers drawing less than Rs. 15 monthly to join any of the provident funds.

Under the State Railway Provident Fund Rules, workshop and shed employees are eligible for membership only if they are entitled to a month's notice of termination of service and have completed three years' continuous service. All other permanent non-pensionable employees, excluding menials, are eligible to subscribe to the Fund, provided their pay amounts to Rs. 15 per month. No menial servant is allowed to subscribe to the State Railway Provident Fund on any terms. Different interpretations of the term menial are found on different railways. Generally it is applied to the lower paid employees, who are more favourably treated as regards provident fund facilities on company-managed lines. On the latter lines all members of the staff, except daily-rated employees, are treated very much alike, and are usually eligible for membership if they receive not less than Rs. 15 monthly. We recognise the difficulties in the way of low paid employees subscribing to a provident fund, but we feel existing conditions no longer warrant the distinctions drawn against menials and daily-rated workers. We therefore recommend that, on completion of one year's continuous service, all employees should be eligible to join a provident fund, membership being optional for those whose emoluments are less than Rs. 20

but compulsory for all drawing Rs. 20 or over, instead of Rs. 30 per month, which is the usual rule.

Gratuities.

As regards retiring gratuities, we recommend that the limitation now placed upon the grant of a gratuity to a subordinate on retirement or resignation after 15 years' qualifying service should be modified to permit of his voluntary withdrawal from the service, if so inclined, without any qualification except that of adequate previous notice of his intention.

Debits.

The question of fines is dealt with in another section of this Report but we must refer here to deductions made from wages of railway employees under the name of debits. These are generally raised against the staff in respect of (*a*) the issue of unnecessary telegrams, (*b*) loss or damage to railway property in their charge, (*c*) compensation claims paid by the railway to the public, where loss or damage to goods occurs while in railway custody, (*d*) undercharges in fares and freights and (*e*) short remittances and base coins. Figures of actual debits raised and of the monthly pay of the members of staff concerned have been submitted, but not details of relative recoveries. We are informed that, in cases of loss or damage to railway property and to parcels and goods, debits are generally raised in the event of negligence on the part of the staff, different forms of punishment being used in other cases, according to circumstances. Undercharges in connection with fares and freights account for many of the debits and provide continuous ground for complaint. It takes some time for the undercharges to be detected in audit, and further time elapses before notice of them reaches the responsible parties. Figures supplied by one administration show that 40,648 debits of the total value of Rs. 2,60,578 were raised on account of undercharges during the year ended 31st October 1929. Of the amount raised, Rs. 1,01,309 was withdrawn, Rs. 1,29,025 was actually recovered and the balance of Rs. 30,244 was still outstanding on 23rd December 1929. We were informed that the staff obtain recoupment for these debits from the merchants. As we understand the position, the members of the staff against whom the debits are raised personally approach the merchants in the matter. This method was confirmed by the representative of another railway who explained that "most of these debits are not paid by the staff themselves but by the consignees. They are regular dealers at the stations, and out of motives of policy, I suppose, they pay the debits". In our opinion this system of recovery of undercharges and recoupment is undesirable. Evidence that details of debits were not kept in separate lists or specially considered was borne out by instances brought to our notice of the same members of station staff having debits raised against them month after month. Considerable hardship is caused to members of the staff by large deductions from their pay, which may be made months after the mistakes occurred. We understand that an officer has been placed on special duty to investigate and report on this question. We suggest that a special effort should be made to get at the root cause of the trouble,

and to ascertain the extent to which it is due to deficiencies in rating and routeing methods or to inefficiency on the part of the staff. In any event, careful analysis of the numbers and amounts of debits charged against individual stations and employees should be made, with a view to the adoption of other methods of disciplinary action. We agree that the total abolition of debits is not feasible, but, pending further detailed enquiry, we suggest a system of maximum amounts bearing some relation to pay, with definite periods for recovery.

APPENDIX.

Statement showing scales of pay of selected classes of railway servants.

The first three columns of figures give minimum rates; the last column gives maximum rates of, or where there are group rates the maximum scales of, the highest group. The figures in brackets show either the maximum or the minimum of the scale, as the case may be, together with the increment.

Category of staff.	Railway.	1914. Minimum.	1921. Minimum.	1929. Minimum.	1929. Maximum.
		Rs.	Rs.	Rs.	Rs.
Gangmen ..	A	8 (—9)	13 (—17)	13 (—1—17)	(18—1—) 22
	B M.G.	6½ (—9)	11 (—14)	13 (—17)	(13—) 17
	B B.G.	7¼	12½	13½	(19—) 26
	C	4	7 3/8	9 (—13)	(24—) 26
	D	5	9	12	16
	E	5	12	12	15
	F	5 (—7½)	9½ (—15)	10½	22
Pointsmen ..	A	7 (—15)	15 (—1—19)	15 (—1—19)	(19—2—) 27
	B M.G. / B.G.	10 (—12)	13 (—25)	13 according to local market rate.	18
	C	No minimum fixed.	9 (—1—13)	9 (—1—13)	(23—1—) 24
	D	7	13	12 (—1—18)	(12—1—) 18
	E	7	12	12	18
	F	6½ (—7½)	10½ (—½—12)	10½ (—½—12)	(15—½—) 16½
Ticket Collectors ..	A	20 (—3—23—2—25—3—28)	33 (—3—42)	33 (—3—60)	(210—10—) 270
	B M.G.	25 (M.G. and B.G.)	40 (—70)	40 (—70)	(100—) 120
	B B.G.			55	110
	C	20 (—5—30)	30 (—5—45)	30 (—5—50)	90
	D	20	40	28 (—2—50)	(75—5—) 125
	E	15	25	25 (—1½—32½)	(80—4—) 100
	F	17½ (—2½—22½)	25 (—2½—5—35)	25 (—2½—35)	(60—5—) 80
Signallers ..	A	20 (—2—22—1—23—2—25—3—28)	33 (—3—42)	33 (—3—42)	(150—10—) 190
	B M.G.	25 (M.G. and B.G.)	40 (—75)	40	75
	B B.G.			60	70
	C	25 (—5—10—5—45)	40 (—5—15—5—65)	40 (—5—15—5—65)	140
	D	30	30	30 (—2—38)	(120—10—) 200
	E	15	25	25 (—2½—35)	(75—5—) 95
	F	15 (—2½—25)	25 (—2½—37½)	25 (—2½—45)	(95—5—) 110

B. G.=Broad Gauge: M.G.=Metre Gauge.

CHAPTER X.—RAILWAYS—*continued.*

Hours of Employment.

The International Labour Convention relating to hours of work, adopted at Washington in 1919 and ratified by India in 1921, prescribed that the principle of a 60 hour week should be adopted in factories, in mines and " in such branches of railway work as shall be specified for this purpose by the competent authority ". Provision for the 60 hour week was embodied in the Factories Act in 1922 and in the Mines Act in 1923. The Convention relating to the weekly rest was adopted at Geneva in 1921 and ratified by India in 1923. So far as India was concerned, the scope of this Convention was the same as that of the Washington Hours Convention, and the Factories and Mines Acts comply with its terms in respect of factories and mines. The provisions of the Conventions have thus been operative for several years in respect of the 136,000 workers in railway workshops, but not in the small sheds not covered by the Factories Act. They also apply to the 25,000 workers in railway collieries. But the Railway Board found the application of the Conventions to other branches of railway activity a problem beset with many difficulties, and it was only after prolonged investigation that an Act was passed in 1930 under which statutory rules have been framed to regulate the hours of employment and periods of rest of railway servants.

Actual Hours.

In railway workshops the normal hours of employment may be said to be 48 in a week of five and a half days, Saturday afternoons and Sundays generally being observed as holidays or rest days. Overtime, when worked, is paid at a flat rate up to 60 hours per week and thereafter at the rate of time and a quarter. In the larger loco. sheds a three shift system of 8 hours each is worked and in the smaller sheds, where work is intermittent, two shifts of 12 hours a day or 84 hours a week. We are informed that the number of continuous and intermittent workers who respectively perform more than 60 and 48 hours in the week is very small. The hours of work of the mechanical staff employed in the sheds are said to be generally restricted to 8 a day. Overtime is seldom worked but, when it is necessary, it is paid for at the ordinary rate.

The hours of labour in the engineering department on maintenance of permanent way vary on different railways. The Railway Board states that this labour is generally employed from 8 to 9 hours a day and 48 to 58 hours a week. We received evidence that on one railway the actual hours were 12 with two hours off, making 10 hours net per day. They get a half holiday on Sunday or every alternate Sunday off, excepting on one railway where this staff is allowed a full day off every week. Overtime is worked only during accidents or emergencies, when the gangmen are given either compensatory rests or allowances ; these are generally at the rate of half a day's pay if the overtime worked is four hours or less and a whole day's pay if more.

At the larger and important stations where work is continuous a three shift system of 8 hours each is worked by the station staff, with

the exception of a few classes whose work is frequently of an intermittent character and performed in 12 hour shifts. At smaller stations, where work as a rule is intermittent, the hours of duty are generally 9 to 12. Although generally less than 60 hours per week, the hours of effective work on some railways exceed that number. Shifts are changed periodically to avoid continuous night duty, but there have been instances of employees being required to work throughout at night. It is said that the weekly rest is now being conceded to station staff where their work is of a continuous nature. Generally no overtime is paid.

The Railway Board states that the running staff provide the chief problem in connection with the application of the International Conventions, and under the draft rules it is proposed to exclude them from the scope of the Conventions pending further enquiries. In normal times a large percentage of this staff is said to work within the 60 hour weekly limit. On some lines, however, it is common for drivers, firemen and guards to work up to 77 and 80 hours weekly and even longer, with the result that these workers are unable to get the full benefit either of the limitation on working hours or of the provision of weekly periods of rest. Overtime, therefore, is paid to a considerable extent in the shape of increased mileage allowance to guards and of overtime and other allowances to drivers and firemen.

Hours of Employment Rules.

Committees of the Indian Railway Conference Association were appointed to explore the special problems of the different railways with a view to arriving at some measure of uniformity and submitted their reports in 1925 and 1927. Thereafter officers were placed on duty to expedite matters, and an abridged memorandum on the subject was distributed on the railways last year. This memorandum contained a summary of the position in June 1930 with copies of the Act and of the proposed Rules and supplementary instructions, as well as different types of rosters, in order to give all concerned opportunities of considering the proposals. The Railway Servants Hours of Employment Rules, 1931, have now been published and are being put into effect. They provide for the limitation of hours of work and of grants of periodical rests to certain classes of railway servants, but exclude from their operation

(*a*) running staff, namely :—drivers, guards and others who habitually work on running trains;

(*b*) watchmen, watermen, sweepers and gatekeepers whose employment may be declared to be essentially intermittent and of a specially light character;

(*c*) persons in positions of supervision or management or in confidential employment;

(*d*) persons employed in factories and mines coming within the scope of the Factories and Mines Acts.

Application of the Rules.

The Rules provide that periods of rest of less than the normal scale may be granted in the case of permanent way and engineering

works staff. It is prescribed that in every calendar month these railway servants shall enjoy one period of rest of not less than 48 consecutive hours or two periods of 24 hours each. Apart from these, all continuous workers, with the exception meantime of the running staff, will enjoy a rest period of 24 consecutive hours per week. Essentially intermittent workers and supervisory staff are not given a weekly rest under the rules, although a number are said to enjoy it. We recommend that the weekly rest of not less than 24 hours provided under the Act of 1930, subject to the usual emergency exceptions, should be granted to all continuous workers as soon as the necessary arrangements can be made.

An attempt has been made to forecast the position when the employees of all railways, including running staff, come under the statutory limitations. We have been supplied by the Railway Board with a statement covering all employees, including those coming within the scope of the Factories and Mines Acts, who, as above indicated, are not covered by these rules. The percentages are based on an analysis of the figures of four of the state-managed railways on which arrangements for the application of the regulation to all excepting running staff are well advanced. The forecast of approximate percentages of employees, including running staff, when the Hours of Employment Rules have been fully applied is as follows :—

	Percentage.	
Employees excluded as supervisory	1	
Employees excluded on account of light character of work	4	
Other employees classified as in work of essentially intermittent character with maximum of 84 hours per week ..	15	
Classified as engaged in continuous work up to a maximum of 60 hours per week other than factory and mine workers	58	
		78
Factory and mine workers		22
		100

There is little difference between railways as regards the percentages of employees classified under the first two categories, but the percentages of essentially intermittent staff varies considerably owing to variations in traffic density and other factors. There are differences of opinion as to the employment that should be scheduled as " essentially intermittent ", and statutory provision is made for the appointment of supervisors of railway labour whose inspection of actual working conditions under the new regulations should help towards improved classification of the different kinds of work under this head. As shown above, the great bulk of railway servants are classified as continuous workers. Excluding those who come within the scope of the Factories and Mines Acts, figures supplied indicate that, when the new rules have been fully applied, 12% of the continuous workers will be employed not more than 48 hours, 43% not more than 54 hours and 45% not more than 60 hours per week. Including factory and mine workers, it is estimated that the numbers of the continuous workers employed for not more than 48, 54 and 60 hours respectively, will be about equal.

We are informed that steps are already being taken to apply the regulations to running staff, as well as to the rest of railway servants, and that instructions have been issued to provide them with a periodic rest by an increase in staff that will not exceed 2% of the present strength. We have been advised by the Railway Board that, during next year, administrations will report the extent to which it has not been possible, with this increase, to apply in addition the stipulated weekly limitation. In view of the years that have elapsed since the ratification of the Washington and Geneva Conventions and since the application of the provisions to workers in factories and mines, special efforts should now be made to put these regulations into effect as quickly as possible. In our opinion increased measures of uniformity of application are desirable and in particular it should be possible, after consulting the workers and their representatives, to arrive at an understanding respecting the general lines of classification of essentially intermittent workers. As indicated above, the proportion of these workers is small, and the Act of 1930 provides that they cannot be employed for more than 84 hours in any week. We recommend that the Railway Board should reconsider the practicability of reducing these hours and of giving days of absence at reasonable intervals where weekly rest days cannot be given.

Uniformity Undesirable.

The Act of 1930 also provides that railway servants whose work is continuous shall not be employed for more than 60 hours in the week on the average in any month. Work in railways varies greatly from branch to branch, and it is not possible to apply to such work uniform treatment on the lines applicable to work in factories and mines. In consequence a limit designed to cover all persons employed more or less continuously may be too high for certain classes of work, whereas a limit based on the requirements of those workers from whom most is demanded would be unjustifiably low if generally applied. We consider that there are branches of employment where, by reason of the degree of concentration required, the existing hours are too long. In the report of the Select Committee which considered what is now the Act of 1930, a reference was made to the possibility of "fixing the hours of work at a lower figure than fifty-six hours a week for those railway servants whose duties are specially arduous and involve continuous concentration." In such cases the aim should be to secure a weekly limit not exceeding 48 hours. We recommend that, as soon as experience of the altered working hours is available, the case of all individual branches be examined in turn with a view to determining to what extent the prevailing hours require reduction, and that thereafter action be taken to secure, on all railways, the reduction necessary.

A Minority View.

Mr Cliff, Mr Joshi and Diwan Chaman Lall are of opinion that any consideration of the hours of railway workers must have regard to the fact that the times of beginning and finishing duty are irregular and are spread over both day and night. The workers operating traffic services

are responsible for the safety of the travelling public and it is essential that they should be both attentive and alert in the performance of their duties. Staff working the long hours prevalent on some railways must have considerable difficulty in maintaining the requisite standard of efficiency. The reduction to be effected under the Hours of Employment Rules is long over-due and it is admitted that a considerable time will elapse before the Rules are extended to all workers. As the operations would be the same, their application to a lower limit than 60 hours presents no administrative difficulty. The question at issue is, whether it is reasonable to require that the hours of employment of railway workers should exceed the weekly limits of the general body of workers whose hours are regulated by statute. If regard be had both to the International Labour Conventions and to the general practice in other countries, it will be found that no such distinction is attempted. In their opinion our examination of conditions obtaining in India demonstrates that such a contention is untenable. They are, therefore, not prepared to subscribe to our conclusion and accordingly recommend that the weekly hours of continuous workers be reduced to the same level as they have suggested for factory and mine workers, namely, forty-eight.

Security of Service.

We have received a great deal of evidence on the subject of disciplinary action and insecurity of service. On the one side it was urged that existing forms of service agreements were unfair in that the administration was empowered to terminate service without assigning reasons. It was also urged that on occasions men were dispensed with by discharge instead of by dismissal, thereby preventing them, as discharged employees, from exercising rights of appeal generally accorded to dismissed employees. The contention is that the usual form of agreement gives no protection against unfair termination of service. The other side of the case is stated by the Railway Board in recently issued rules and explanations regulating the discharge and dismissal of state railway non-gazetted government servants as follows:—

> "The Railway Department being a commercial department, service in it must in its nature differ from service in other government departments and continuance of employment must be subject to the tests and conditions enforced by large commercial concerns. Accordingly the power which the railway administrations possess of discharging railway servants without assigning reasons in accordance with the terms of their agreement, or otherwise on reduction of establishment due to fluctuations of traffic, simplification of the methods of work or any other cause, or on grounds of inefficiency, must be retained. This power, however, by its very nature imposes upon the competent authority the obligation to use it considerately and with strict justice so that the railway servants shall feel that they can expect fair and reasonable treatment. A too frequent or a thoughtless recourse to it is apt to lead to a sense of instability of service, which is detrimental both to the welfare of the staff and to the efficient and economical working of railways."

The partial application, however, of Fundamental Rules and other rules and regulations to state-managed and company-managed railways on no uniform plan has complicated the position and created service traditions and vested rights that cannot be ignored. The feeling of insecurity of service is a source of anxiety, which in our opinion justifies

further efforts being made to remove cause for complaint. Where large numbers of workers are employed, there must be cases in which disciplinary action has to be taken, but this makes it all the more necessary that the workers should understand that steady work, reasonable efficiency and good conduct will ensure security of tenure. They should also feel assured that, when their service or conduct falls short of the required standard, opportunities for explanation will be provided, and that their services will not be terminated without due enquiry, and, if desired, ample rights of appeal to higher authorities.

Service Agreement.

We therefore recommend that all classes of workers should enter into a simple service agreement. This should provide for a probationary period of twelve months, during which the administration should have the right to dispense with the services of any worker considered unsuitable. After twelve months' approved continuous service, the engagement should be confirmed and made terminable on one month's notice or on payment of one month's wages in lieu of notice. In addition to such other terms and conditions as may be necessary, there should appear in all agreements a declaration to the effect that an employee is liable to have his service terminated in any of the following circumstances :—

(1) in consequence of his conviction by a criminal court,

(2) for serious misconduct,

(3) for neglect of duty resulting in, or likely to result in, loss to Government or to a railway administration, or danger to life,

(4) in particular branches for indebtedness,

(5) for inefficiency or unsatisfactory service,

(6) on reduction of establishment.

We further recommend that the power of terminating an employee's service should reside solely in the district and divisional officers or officers superior to them. It should be understood that reports of offences must be submitted in the ordinary course by supervising subordinate or assistant officers.

Appeals against Dismissal or Discharge.

An employee having been confirmed after twelve months' continuous service, when charged with an offence which, if proved, is serious enough to render him liable to dismissal or discharge, should be furnished with a charge sheet setting out particulars of the allegation against him. This should be returnable within seven days of its receipt, together with an explanation duly signed by the recipient. The competent officer, *i.e.* the district or divisional or superior officer, on receipt of the charge sheet, may make such enquiry as he thinks proper and, if the case is to be proceeded with, summon the employee to appear before him. If the employee so elects,

he should be entitled to be accompanied by a representative of an accredited trade union of which he is a member, or by one of his fellow workmen to assist him in presenting his case at the hearing. Suitable time-limits should be fixed for the disposal of such cases, and no rule should diminish the power of the competent officer to suspend an employee where such action is necessary. An employee overstaying his authorised leave, or being absent from duty without leave, except in a genuine case of sickness, should be presumed to have left the service and to have forfeited his right of appeal, subject to the competent officer having discretionary power. In the event of an employee being dismissed or discharged, he should be entitled to appeal in the first instance direct to the head of his department or Divisional Superintendent, and, in the event of his appeal being dismissed, he should have the right of further appeal to the Agent, whose decision should be final. Where, however, dismissal involves the forfeiture of his provident fund bonus, he should, as at present, have the right of appeal to the Railway Board. An employee should be entitled to the same facilities for representation at these hearings as is accorded to him at the hearing before the competent officer. We suggest that the time-limit for these further appeals should not exceed one month from the time the decision is conveyed to the appellant; and within that period no appeals should be withheld from consideration and determination.

Appeals against Disciplinary Action.

There are other cases in which an employee confirmed in the service may be charged with an offence which, although it may not merit discharge or dismissal, may require more than the issue of a warning. In such cases, the officer who has reason to complain should issue to the worker concerned a charge sheet setting out the complaint, and its return should be required with a written explanation within seven days from the time of its receipt. If it is then necessary to take disciplinary action such as reduction of grade, stoppage of increment or privileges or a fine, an order should be issued accordingly, but the employee should have the right of appeal to his district or divisional officer and be allowed the same facilities for representation at the hearing as have been indicated above. The decision of the competent officer should be final, except in cases where a reduction of grade is decided upon. In such cases a right of appeal should lie to the head of the department or Divisional Superintendent, whose decision should be final. We recommend that proper records of the disciplinary action taken against workmen should be kept and that these records should be examined periodically by administrative or personnel officers to ensure that disciplinary power is not abused.

Reduction of Establishments.

The only other ground for discharge requiring consideration is that of reduction of establishment. Circumstances may arise necessitating a reduction of the staff employed in the various departments. This is a matter of policy to be decided by the administrations and in our opinion must be differentiated from discharges connected with discipline

or efficiency. It may, and in certain circumstances should, be met by the working of short time, the stoppage of recruiting, the operation of normal wastage or the retirement of staff taking their gratuity and provident fund. It may be possible to arrange for the transfer of individuals to other departments or other railways on similar or even reduced rates of pay. Reductions in staff as a rule affect more individuals than one and, where necessary, other things being equal, the principle of seniority should apply. Already on several railways registers are maintained of men discharged on reduction and transfers effected with other departments. We should like to see this practice universally adopted, but, in addition, we would emphasise the necessity of careful prepatation in advance of programmes of maintenance and construction in order to ensure stability of employment as far as possible and so mitigate the hardships that reductions entail. In this connection we are informed that the Railway Board, in issuing the recently revised rules regulating the discharge and dismissal of state railway non-gazetted servants, recommended that any instance where it was proposed at one time to effect a comparatively large reduction of staff, say, 100 employees or more, the recognised trade union representing the interests of such employees should be informed of the proposal as early as possible, with a general statement of the reasons for the intended reduction.

Labour Turnover.

We have been supplied with figures of dismissals, of discharges under reduction and otherwise, of labour turnover and of absenteeism on different railways and in different departments, but these have been compiled on so many different bases and the explanations given are so varied that we are not prepared to draw definite conclusions therefrom. We are satisfied, however, that in many departments of railway service the figures of discharges, turnover and absenteeism are higher than they should be in properly organised establishments, even after taking into account the special conditions obtaining in this country. A large proportion of railway workers, particularly the unskilled classes, are drawn from agriculture, and many of the gangmen and others return to such work, especially at sowing and harvesting times. Unauthorised absence amongst the lower grades appears to be a material factor in all the returns of labour turnover. We have already referred to the question of workmen overstaying authorised leave, and recommend that proper records should be kept to permit of a thorough examination of the whole problem with the object of improving the present position. In cases where workers are employed temporarily, we are in favour of a record of their service being maintained, wherever practicable, with a view to their being given priority for permanent employment.

Works Committees and Employment Officers.

We have already referred to questions of discharges and dismissals and of disciplinary action, and have dealt with the rights of individual workers to appeal in such matters to the district officer and the head of the department concerned and, in certain cases, to the

Agent and the Railway Board. There are other problems arising out of service conditions affecting individuals, grades and classes of workers that require adequate facilities for ventilation and settlement. The method of dealing with these varies on different railways. Usually appeals or petitions are forwarded through supervising subordinates to the executive officer concerned; sometimes they are dealt with by appropriate committees, and on some railways they may go up to the Agent. We recommend that the procedure should be made uniform on all railways. It is important that grievances should be ventilated, and we believe that the local and district or divisional committees and railway councils referred to later provide appropriate channels for dealing with these problems. Establishment and employment officers are of great assistance to workers in this connection and we recommend their appointment on all railways. They have already proved their value, especially in the large workshops, and we consider their activities can usefully be extended, specially if employment bureaux are set up to serve as a further link between the personnel officers and the employees in the larger centres.

Joint Standing Machinery.

Only within the last twelve years has it been found advisable to set up machinery to deal with matters of a general nature involving questions of principle affecting classes or grades of workers. Previously matters in dispute were generally settled by direct discussion between the district officers and the men concerned. The economic disturbance and the rise in the cost of living that directly followed the war witnessed the rapid growth of the trade union movement amongst railway employees, in common with other industrial workers all over India. By 1919 workers had resorted to strikes in order to force increases of wages, and for a year or two these were frequent. Most of them were the result of grievances regarding wages and other service conditions, some took the form of protests against discharges or dismissals and a small number was said to be due to extraneous influences. In an effort to provide means of discussion of questions in dispute, a district welfare committee was introduced in 1922 in the traffic department of one railway. The following year the then Chief Commissioner of Railways advocated a scheme of co-ordinated local committees for the local settlement of disputes and, what was considered more important, for their prevention. He visualised in each district of the railway a committee composed of equal numbers of workers and of representatives of the administration, the work of these committees being co-ordinated by a central council for each railway. The functions of the committees would extend to a variety of subjects, embracing not only the ventilation and timely redress of grievances but all matters connected with the welfare of the staff. Their recommendations would be considered by the competent authorities, and matters of a general nature affecting the railway system as a whole would be placed before the central council and the Agent, who would have in his office a welfare section in the charge of a special officer. Early in 1924,

a workshop committee was set up on one of the railways and in later years committees have been formed on all Class I railways, with the exception of two of the smaller administrations. These committees are differently designated as shop, welfare or staff committees and, although there are differences of constitution and functions, the general principles underlying all are those indicated by the Chief Commissioner in 1923. In each case a commencement has been made with the establishment of a joint committee, either in the workshop or in the traffic department, after which similar committees have usually been organised for other branches of the staff. We have received a good deal of evidence as to the advantages and disadvantages of the system of joint works committees and have been supplied with statements giving particulars of the subjects dealt with by different committees and the manner of their disposal. These show that committees on some of the railways are serving a useful purpose and are meeting with a measure of success, in spite of opposition on the part of some of the trade unions. It is natural that the unions should object to the encouragement given by the administrations to the works committees which the unions look upon as rival institutions, undemocratic in constitution, and concerning the setting up of which they have not been consulted. The All-India Railwaymen's Federation observes that " so-called welfare committees " are set up only when the unions show signs of increasing activity. Although this statement may not be in accordance with the facts, it is worthy of remark that the two Class I railways on which there are no unions are the two on which no steps have been taken to form works committees.

Trade Unions.

We discuss general questions relating to trade unionism in India in a later chapter, and invite the attention of all concerned in the growth of the movement on railways, whether as employers or employed, to that chapter. There are, however, certain special questions concerning the relations of the railway administrations to trade unions which require more detailed treatment, and are best dealt with here. We have been supplied with particulars of trade unions of employees on railways which show that labour unions are, or have been, in operation on ten of the Class I railways, on some of which as many as three or four operate at the same time. Almost all are registered under the Trade Unions Act, and the majority have received some measure of recognition by the administrations concerned. Many railway trade unions came into existence during the period 1918—21. Although some ceased to exist after short spells of active life and others marked time except for occasional efforts at direct action, several of those now in existence are actively looking after the interests of their members and show promise of improved organisation and usefulness. There is an increasing tendency to look for office-bearers and executive officers from amongst union members actually engaged in railway work, and with more experience some of the office-bearers

and representatives of the unions that gave evidence before us should do much to improve the effectiveness of their organisations. There can be no doubt that, within the last few years, the appointment of special establishment and employment officers and other movements for the improvement of labour conditions on railways have been due in a large measure to the sustained pressure of trade union executives. The All-India Railwaymen's Federation, in particular, though not a registered body under the Trade Unions Act, has been taking an active part in collective bargaining with railway authorities. Having affiliated to it trade unions of men working on all but two of the Class I railways and with an alleged membership of 100,000, it has been able to exercise considerable influence, and arrangements have been made for half-yearly conferences with the Railway Board for the discussion of matters affecting wages and conditions of service of railway employees as a whole. The Federation "desires that there should be frequent consultations between employers' and workers' organisations in regard to staff matters to minimise misunderstanding and consequent unhappy relations. The railway unions' right to speak on behalf of their members must be recognised irrespective of the fact whether the grievances discussed are general or individual". Since the inception of trade unionism on the railways, the question of recognition has been a bone of contention between the unions and the administrations. The Railways' position is thus indicated in the memorandum of the Railway Board :—

> "Generally the attitude of the Railway Board is that unions conducted on sound trade union principles ought to be encouraged and that the registration of a union under the Trade Unions Act should predispose a railway administration to recognise a union, though the degree of such recognition must necessarily depend on the extent to which such union is really representative of the class or classes of staff which it is supposed to represent. The representation of individual grievances by unions is not encouraged since it is considered that adequate machinery for dealing with these already exists, individuals having the recognised official channels through which they can seek redress. On the other hand no definite ban has been laid on administrations in this respect, and there are many instances of individual grievances put up by a union being enquired into. There is at present little uniformity with regard to the extent to which individual railways enter into relation with their unions, nor is it possible or expedient that standardisation should be imposed until some uniformity exists in the constitution and activities of the various Associations."

Generally speaking, there is ground for the complaint that at least some of the administrations expect a higher standard of efficiency, responsibility and organisation from the trade unions than can reasonably be expected at this stage in their development. We deal in another chapter with the desirability of stimulating the growth of healthy trade unionism, with the principles governing the recognition of unions and with what is involved in recognition. We believe that a more generous policy in respect of recognition would be to the advantage of all concerned in railway work, and we commend this matter to the careful consideration of administrations and unions. These bodies should also arrive at an understanding concerning the extent of the facilities to be given to union officers and members actively engaged in promoting organisation. In the past, assistance has

taken the form of special passes and leave, permission to use notice boards and to hold union meetings in railway institutes and on railway premises, freedom of action for enrolment of members, so long as there is no interference with the duties of the railway staff, and free access to railway officers. There has been, however, no uniformity of practice. We believe that a stage has been reached in the development of some unions where facilities of this kind might with advantage be conceded.

Relations between Administrations and Workers.

There still remains for consideration the question of regulating the relations between the Railway Board and administrations and the All-India Railwaymen's Federation and individual trade unions. This involves the right of workers to make full use of whatever machinery is available for bringing forward and remedying grievances and disputes of every description. Whether by direct appeal to superior officers, by means of joint committees or by trade union agency, the workers must feel that complaints will receive due consideration. In order that no sense of grievance or cause for dispute may remain outstanding, we consider the time has arrived to set up joint standing machinery that, as far as possible, will incorporate methods already in existence. While appreciating the efforts hitherto made to provide means of discussion and settlement of matters in dispute between the administrations and their employees, we cannot help noticing the absence of co-ordination between the different agencies. At the base of the present structure are joint committees and individual trade unions competing for the goodwill of the workers. The committees receive support from the local officers of administrations, some of whom give little or no active encouragement to the local trade union movement, which as a rule is in opposition to the present system of joint committees. At the apex of the structure, on the other hand, are the Railway Board and the All-India Railwaymen's Federation discussing schemes for improving the conditions of workers, with no visible link on the employers' side between the local conciliation machinery and the negotiating agency at the top. This is not due to the fact that no intervening machinery exists, for, apart from the Agents of Class I railways with whom the Railway Board holds periodical discussions, there exists another co-ordinating agency in the Indian Railway Conference Association which dates back to 1879 and has met regularly since 1902. Besides meeting annually to discuss *inter alia* questions of uniformity in dealing with staff matters, this Association appoints standing and special committees which in recent years have considered difficult questions such as the application of the Hours of Work and the Weekly Rest Conventions. The Railway Board informs us that "the powers of the Association are only consultative so far as these matters are concerned, but there is every likelihood that the facilities for round-table discussion which the Association provides will in future be realised to a greater extent in the solution of the many problems which are arising in the sphere of railway labour". This indicates a development with which we are in sympathy.

Constitution of New Machinery.

We feel it is wrong in principle for the Railway Member of the Government of India or the Railway Board which represents the Government to enter into direct discussion of working conditions with representatives of the workers until the Agents responsible for the running of the railways have had an opportunity of a round-table conference with these representatives. The Indian Railway Conference Association and the All-India Railwaymen's Federation are bodies whereby a Joint Standing Central Board can be formed in the best interests of all concerned. We therefore recommend the introduction of machinery for dealing with industrial relations on railways which will provide for the constitution of a Joint Standing Central Board to which representatives of the Agents and of the workers should be elected in equal proportions. Taking existing organisations into account, we recommend that the representatives of the Agents should be elected by the Indian Railway Conference Association and those of the workers by the All-India Railwaymen's Federation and that, as far as possible, representatives should have practical knowledge of railway working. Neither side should have more than one representative connected with any one railway. The Chairman and Vice-Chairman should be appointed by and from the members forming the Central Board, suitable arrangements being made for the carrying out of secretarial duties. In this connection, we observe that *verbatim* reports of the proceedings of the meetings of representatives of the All-India Railwaymen's Federation with the Railway Member and the Railway Board have been printed and published. While it is necessary for a record to be kept of decisions and of the more important points emerging from the discussions, there is much to be said against printing and publishing *verbatim* speeches of members of a joint conference. We advise that this practice should not be followed at meetings of the Central Board or of any other sections of the joint standing machinery. The functions of the proposed Joint Standing Central Board should be to consider and, where possible, to effect a settlement of general questions common to all railways and of matters common to one or more grades of labour, where it has not been found possible to reach agreement in the Railway Councils of individual systems. Such differences would come up automatically before the Central Board, which would also receive and consider joint references from Railway Councils. Where a dispute is apprehended on any railway, if the matter is not capable of settlement by its Railway Council, it should be referred automatically to the Central Board, it being agreed that no stoppage of labour either by strike or lock-out should take place pending consideration by the Central Board or, in the event of failure to reach agreement, pending the decision of the Tribunal to be set up.

In the event of the Central Board failing to reach agreement, we recommend that, if either party so desires, the dispute should be referred to a Tribunal. We suggest that this Tribunal be composed of five representatives from each side of the Central Board, together with other

five persons from outside, unconnected with railway administration or railway workers or their associations. Of the latter, two should be nominated by each side of the Central Board, and the fifth and last member should be selected by both sides of the Board to act as an independent Chairman ; failing an agreed nomination, the Chairman should be appointed by the Government of India.

Railway Councils and Committees.

We have dealt first with the constitution of the Central Board, partly because we are strongly of the opinion that such joint standing machinery is to be preferred to the existing method of negotiating between the central controlling authorities and the representatives of railway workers, and partly because it is desirable to show clearly the nature of the organisation we have in view for dealing with disputes of major questions that have proved incapable of settlement on individual railways. At the same time we consider it an equally essential part of the scheme that provision should be made on each railway for the due consideration of differences of opinion arising there. We recommend that this should take the form of a Railway Council working in conjunction with divisional or district and local or works committees, in order to cover the whole field of industrial relations. Here, however, it is obvious that, if these bodies are to be fully representative, they must be elected by and from the whole of the workers concerned. The object of creating this portion of the scheme is to give all workers opportunities of ventilating grievances as they arise and to give them or their direct representatives opportunities of discussing the conditions under which their work should be carried on. In our opinion it would be a mistake to limit these opportunities to minorities. For this reason we recommend that all workers should be eligible for election to the proposed Railway Council and committees. At the same time we suggest that, where there is a recognised trade union representing the interests of employees, the workers' representatives on any divisional or district and local or works committee should, if they so desire, be entitled to have the assistance of an officer of the union in discussing questions on the agenda of any committee meeting. In the case of Railway Councils, we recommend that, where there is a recognised trade union, the Agent of a railway should consult the officers of the union as to the constitution of his Railway Council and as to the extent of the direct representation to which the union should be entitled on the council. Failing agreement in this connection, the matter should be referred to the Joint Standing Central Board, from whom advice may also be taken in the event of more than one union desiring recognition and representation on any railway.

It is unnecessary to indicate here divisions of functions by specifying different matters suitable for discussion by Railway Councils and committees, or the types of constitution to be adopted. The experience gained from the working of existing joint committees is available, and we recommend that the proposed Joint Standing Central Board should take into consideration the constitutions and functions of the different

bodies to be set up. As we believe it essential to the working of conciliation machinery that meetings should be held at regular intervals and that, wherever possible, specified time limits should be fixed for dealing with questions at each stage, we recommend that these points should receive particular attention when the constitution of the machinery is under consideration

Contractors.

We have dealt elsewhere in this report with matters which affect railway employees in common with other industrial workers and do not propose to refer to them here, except in so far as they have a special bearing on railway conditions. Some work is given out on contract, and in certain branches of railway service this cannot be avoided. We recommend substituting departmental for contract labour, wherever practicable. There are departments in which work done under contract might be materially reduced. In the commercial department it is particularly inadvisable that station masters or other railway officers should be given contracts for loading and unloading goods or for the supply of porters. Equally unsatisfactory is the system of employing contractors as cashiers and of allowing them and their pay clerks to take the place of departmental staff in paying wages to workers.

Evictions.

We have dealt in a later chapter with the question of housing. Here we need only refer to one phase to which our attention was drawn, namely, that of eviction. The scarcity of housing adds to the difficulties facing railways when it becomes necessary to serve notices of eviction upon workers who have been discharged or who have ceased attending to their duties. Under the Indian Railways Act, an administration can apply to a magistrate, but we are informed that it is only on rare occasions that recourse has been had to legal proceedings for eviction of a railway servant. We feel sure this power will be resorted to only after giving due regard to all the circumstances.

Health and Welfare.

A separate chapter is given to the health of industrial workers and there is no need to stress here the fact that the preservation of the health of the staff and the prevention of epidemic diseases in railway settlements have a very important bearing on the efficient and economic working of railways. In recent years the Railway Board and the administrations have been giving special attention to improvement of medical and sanitary arrangements. Figures have been supplied showing that the twelve Class I railways give grants for health and welfare purposes amounting to a crore of rupees annually, this amount being taken wholly from revenue, with the exception of about Rs. 6 lakhs from fine funds. Almost 50% of this expenditure is devoted to medical relief and more than 25% to sanitation; during the last six years the cost of medical relief has increased by 30%. We are in entire agreement with the Railway Board as to the advantages of having on each railway a whole-time

medical staff, which should be responsible not only for medical treatment but also for the supervision of health and sanitation in all directions. We therefore recommend that all railway medical officers should be definitely precluded from private practice, except in the case of families of railway servants, as we consider that full scope exists in the railway service for all their time and energies. In view of the character of the duties required of these officers, the importance of public health qualifications should be recognised by all administrations. Chief Medical Officers, in particular, should be required to devote more time to inspections.

Welfare Committees.

Apart from the need of creating machinery to form a link between the administration and the workers with regard to the settlement of grievances and the prevention of industrial disputes, developments in welfare work have called for organisations intended to encourage the staff to participate in welfare activities. Reference has already been made to the formation on various railways of staff committees, staff welfare committees and staff councils. In addition, on almost all railways sanitary committees have been formed at various centres; these meet periodically and make suggestions for improving health conditions in the railway colonies. On the South Indian Railway the jurisdiction of these sanitary committees has been extended to include all matters relating to the comfort and well-being of the railway communities, the expenses incurred being borne by the railway administration. Although the local medical officer is always a member, the organisation of local and sanitary committees is often placed under the engineering department, on the ground that it is considered best fitted to supervise the general conditions of the quarters and to correct deficiencies. The duties of these committees are only advisory and the executive charge of sanitation and health should always remain in the hands of the medical department. It seems desirable to extend the functions of all local committees to welfare work. We consider that both Chief and District medical officers should take an active part in encouraging this work and in stimulating local interest in the general advance of the health and welfare of the railway communities. On more than one railway the election of workers to the committees by the votes of fellow workers has proved of value, and we recommend that, wherever possible, each committee should have a proportion of elected members representative of different classes of workers living within the area it serves.

Statistics.

While acknowledging the ready assistance given by the Railway Board and its officers, we feel attention must be drawn to the necessity for information concerning staff matters being made more readily available in published reports. For many years the annual reports by the Railway Board on the working of Indian railways have given operating and financial figures in considerable detail, but it is only within the past year or two that staff statistics have been published to any extent. These consist mainly of statements

designed to show the progress made in Indianisation and in the recruitment of minority communities and give very little information as to wages and staff costs in different branches of the service. We find an absence of uniformity in nomenclature which prevents exact comparisons being made of the numbers of employees and of working costs in the different departments of the various railways. We therefore recommend that an effort should be made to standardise nomenclature and practice so as to obtain comparable returns on which to base analyses of numbers and costs of staff. Figures should be readily available showing salaries and wages separate from provident fund contributions and gratuities and also giving particulars of contractor labour employed in different branches. Statistics of labour turnover and of absenteeism, showing whether these are due to sickness or otherwise, should also be carefully maintained and analysed in order that these matters may receive the necessary attention.

Conclusion.

Many of the recommendations and suggestions contained in this Report must, if adopted, ultimately result in increased working costs, unless economies are effected in other directions. On some railways the cumulative effect will be more serious than on others more favourably placed as regards traffic and working facilities. Working expenses and staff costs have already materially increased and the recent falling off in traffic receipts will make this still more apparent. In India cheap transit has always been and must continue to be recognised as a necessity. From a study of the statements at our disposal we are satisfied that in various branches economies can be effected which will go a long way to meet the increased expenditure to be incurred in other directions. There is room for greater individual effort and, with continued attention to working conditions, there is no reason why improved organisation and increased efficiency should not permit of most of our recommendations being carried out in the near future. The fall in prices has already increased the purchasing power of wages and, with increased earning capacity, we believe that workers on Indian railways will realise and respond to the need for greater efficiency. There will be difficulties to overcome and occasions when patient consideration and negotiation will be necessary; but, with goodwill and common effort, we believe that all concerned in the development of Indian railways will benefit from a general acceptance of the principles indicated in this Report.

CHAPTER XI.—TRANSPORT SERVICES AND PUBLIC WORKS.

We devote this chapter mainly to the industrial labour employed in transport services other than railways and deal in turn with maritime shipping, inland steam navigation, docks, tramways and motor transport by road. After discussing these, we add some observations on public works.

Employment of Indian Seamen.

The statement on the following page gives the number and tonnage of all steam vessels and sailing vessels which entered or cleared in the five important ports of India with cargo or in ballast in 1929-30. As the table indicates, the great bulk of the tonnage is registered outside India, particularly in Great Britain. The steamers registered in India form about 5% of the total tonnage cleared at the main ports and represent, for the most part, small craft. Some evidence was tendered to us regarding the conditions of labour at sea on ships registered outside British India. We recognise the importance of such questions, but they do not come within our terms of reference and we must leave their consideration to the Governments concerned. We have, however, regarded it as our duty to consider the conditions affecting seamen while on shore, and particularly the control of their recruitment. The recruitment of Indian seamen is at present virtually confined to the ports of Calcutta and Bombay. When seamen are required to fill vacancies at other ports, they are sent from these two principal ports. During the three years from 1926-27 to 1928-29, the average number of seamen engaged in Calcutta was 58,300 a year and in Bombay 34,600. The crew on board the larger ships works in three groups—the deck crew, the engine-room crew and the saloon crew. The deck crew and the engine-room crew work under *serangs* responsible to the Chief Officer and the Chief Engineer respectively, and the saloon crew under a butler responsible to the Purser or Chief Steward. With the exception of a proportion of Goans in the saloon crews, the Calcutta crews consist of Bengali Musalmans, and come principally from Eastern Bengal. The Bombay deck crews come from various parts of the West Coast, some crews being Hindus and others Musalmans. The engine-room crews are Musalmans, many of whom come from the Punjab and the North-West Frontier Province to serve the P. and O. Steam Navigation Company. The saloon crews are mainly Goans by origin. For many years all persons, with the exception of Shipping Masters, owners, masters and mates of ships or regular servants of owners have been prohibited from engaging or supplying seamen unless they have been specially licensed for the purpose.

Total shipping of the five principal ports of India in 1929-30.

	Bombay.		Calcutta.		Karachi.		Madras.		Rangoon.	
	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.
		Thousands.		Thousands.		Thousands.		Thousands.		Thousands.
Steamers :—										
British Indian ..	3,191	911	238	445	333	395	68	175	261	706
British ..	1,889	6,611	2,139	7,129	1,072	2,835	1,121	4,057	2,254	6,082
Foreign ..	838	3,110	677	2,387	414	1,659	424	1,743	745	2,181
Total ..	5,918	10,632	3,054	9,961	1,819	4,889	1,613	5,975	3,260	8,969
Sailing Vessels ..	56,649	995	10	1	3,482	206	77	6	349	26
Total Steam and Sailing ..	62,567	11,627	3,064	9,962	5,301	5,095	1,690	5,981	3,609	8,995

The Seamen's Recruitment Committee.

The question of the recruitment of seamen in India came under the consideration of Government and the Indian Legislature in 1921 on the adoption by the Second Session of the International Labour Conference at Genoa in 1920 of a Draft Convention regarding facilities for finding employment for seamen. The Legislature did not recommend ratification of the Convention, but suggested that "an examination should be undertaken without delay of the methods of recruitment of seamen at the different ports, in order that it may be definitely ascertained whether abuses exist and whether those abuses are susceptible of remedy". As a result, a committee, known as the Seamen's Recruitment Committee, was appointed in 1922. At this time recruitment was conducted in Bombay through a single firm of licensed brokers. In Calcutta the principal company concerned carried on recruitment through special servants of its own and the other companies utilised the services of one of the local licensed brokers. The *serangs* and butlers were selected by the officers concerned and the latter were also responsible for approving the crew; but in practice the selection of the crew rested mainly with the *serangs* and butlers. After investigations in Bombay and Calcutta, the Committee found that this system had led to grave abuses and were unanimous in recommending an entirely new system which did not involve the employment of intermediaries. They recommended the setting up of employment bureaux under officers with practical marine experience.

Method of Recruitment Recommended.

As regards the method of recruitment, the Committee recommended that, in the case of the leading ratings (*i.e.*, *serangs* and butlers), the shipping companies should be allowed to nominate anyone who had been discharged from a ship of the same line not more than three months before, but if they failed to do so, the selection was to be made from a fair proportion of men from the top of the roster maintained by the bureau for that line. The object of this recommendation was, as stated by the Committee, "to encourage lines to give men, as far as possible, continuity of employment and to ensure that each man on the list shall have his claims regularly considered". So far as seamen were concerned, the Committee recognised that in Bombay the crews, especially the deck crews, were closely attached to particular *serangs*, frequently coming from the same or neighbouring villages and forming almost a family on board. They therefore proposed to interfere with the *serangs'* power of nomination only in the case of a particular type of crew. In Calcutta, on the other hand, they believed that there was no close attachment between the *serang* and his crew, and proposed a system whereby the seamen would be taken by roster from a register maintained for the line concerned and from a general register. At the same time shipowners were to be free to take men who had been discharged from ships of the same line not more than a month previously. This scheme, had it worked satisfactorily, would have tended to encourage continuity of employment by giving the shipowners the choice between selecting the crew from

those most recently discharged, and having the crew selected on an arbitrary system which might give a miscellaneous crew. The Committee also recommended that bribery, whether indirect or direct, to obtain employment as seamen should be regarded as a serious offence punishable with a considerable term of imprisonment.

Action on Committee's Report.

The main object of the scheme was understood to be the elimination of the bribery which the Committee believed to exist on an extensive scale, and attention was concentrated on Calcutta where the abuses were said to be much more serious than in Bombay. From the start the scheme met with a large amount of opposition and criticism. The difficulties in the way of preparing a register were serious, and it was felt in many quarters that it would be impossible to restrict, in the manner contemplated by the Committee, the power of the *serang* over the selection of his own crew. After protracted discussion with the local Government and other interests, the Government of India appointed in 1924 an officer of the Mercantile Marine as Shipping Master to re-organise the Shipping Office at Calcutta, and instructed him to examine the question of the establishment of a recruitment bureau. They considered that it would be inadvisable to proceed further with the recommendations of the Committee until the Shipping Masters had gained some experience of the system of recruitment and had made some progress with the registration of seamen. At a later date an assistant to the Shipping Master was appointed at Bombay to deal with the question of recruitment.

Orders of Government.

In 1929 the Government of India issued their orders on the recommendations of the Seamen's Recruitment Committee. Under these orders, which were framed after consultation with the shipping companies, the leading ratings (*i.e.*, *serangs* and butlers) are recruited either direct by the shipowners or through the Shipping Office. A broker must not be employed in any capacity in the selection of these men, and the companies undertake that " preference will, as far as possible, be given to men who have been longest out of employment ". The Shipping Master has no power to interfere in the selection, but we are informed that, as far as possible, the shipping companies endeavour to honour this undertaking. Recruitment is made through the Shipping Office where shipowners or their agents are unable to make the arrangements necessary for the registration of their men. The Shipping Offices maintain employment registers of *serangs* and butlers ; the shipowners, their agents or the ship's officers select their men at an open muster. Here, too, there is no compulsion, but it is stated that in practice an endeavour is made to give preference to those longest out of employment. In the recruitment of lower ratings, there is no interference or control. The general practice is for the *serang* or butler to produce candidates in excess of the number required and for the Marine Superintendent or the ship's officers to select from the men thus produced.

Improvements Effected.

Although the licensed brokers and other intermediaries have not been abolished, as recommended by the Seamen's Recruitment Committee, their powers have been curtailed. They are no longer given any voice in the selection of the higher ratings, and it is no longer customary for them to supply the lower ratings, except where vacancies occur immediately prior to a vessel's departure. But in Calcutta the greatest improvement has been in connection with the system of advances to seamen at the time of recruitment. Formerly, a seaman recruited through a broker received from him a hand-note, usually for one month's pay, of which half was not payable until some time after the ship sailed. The seaman who needed the money in cash had to pay a substantial rate of discount to money-lenders or others to secure this. Advance notes have now been abolished, and the broker is required to pay to the seaman, when signing on, the full advance in cash of a month's wages. For this he receives a fixed commission from the shipping companies.

Extent of Bribery.

The evidence we received on the question of the prevalence of bribery was conflicting. The seamen's representatives were unanimous in the view that there had been no improvement since 1922 ; on the other hand, the Shipping Masters and the shipping companies were of opinion that, whilst bribery in recruitment had not altogether disappeared, it was by no means serious. It was even maintained by the companies that the picture drawn by the Seamen's Recruitment Committee was exaggerated. It was not possible for us to sift the truth from these conflicting statements, particularly as we had been supplied with no figures that could be compared with those collected by the 1922 Committee. But the present system represents an improvement in method on the old one, in that, if properly worked, it will bring the employer and the employed a stage closer together than was the case when the brokers were responsible for engagement. But it does not seem to us to be designed to remove one of the basic causes of bribery, namely, the large volume of unemployment amongst seamen. So long as this remains, the temptation to offer a bribe is not likely to be diminished, and, quite apart from its connection with bribery, the reduction of unemployment appears to be essential if labour in this industry is to be placed on a satisfactory footing.

Unemployment.

The present conditions are in large measure the result of the war which, by increasing the demand for seamen's labour, led to a large increase in the supply. After the termination of the war, the demand fell rapidly, with the result that the number of seamen was far in excess of the openings available. The Committee of 1922 drew attention to the serious unemployment then prevailing, and, as we have stated, its recommendations were so framed as to encourage practically continuous employment to a limited number of men. We do not think that these

recommendations took sufficient account of the desire of many seamen to spend between voyages comparatively long periods in their villages and their value as a check to unemployment was further weakened by the encouragement which the roster system would have given to the old and the inefficient seamen to remain on the waiting list. But when the Committee's recommendations were rejected as impracticable, the importance of ensuring that the system adopted should operate to reduce unemployment seems to have been overlooked. With one exception, the steps taken in the last few years have not been calculated to have this effect, and the problem to-day is as serious as it was in 1922. In Bombay, according to the estimate of the Indian Seamen's Union, which appears to be approximately correct, there is employment at any one time for only one-third of the number available for employment. In the Shipping Office we found a number of *serangs* and butlers who, in spite of their previous satisfactory service, had been out of employment for periods varying from one to four years. The Shipping Master informed us that he had no control over new recruits whose names were being entered in the register, even though it was certain that no employment would be available for the majority of them for a considerable time.

Position in Calcutta.

In Calcutta the position is equally unsatisfactory. According to the estimate of the Shipping Master, only about one-fourth of the total number seeking employment can hope to be successful. Here too there was for long the same indiscriminate registration of new recruits. From the 1st July 1922 to the end of 1925 over 29,500 new men were granted certificates to enable them to go to sea, while the number of those who succeeded in obtaining employment at sea during these years was less than 16,000. The position would have been even worse but for the fact that from 1926 the Shipping Master, on his own authority, stopped further registration of new recruits, except at the request of the officers of the ships on whose articles they were to be signed on. As a result of this action, the number of new men registered in the course of a year has fallen from 10,000 to about 5,000. An attempt has been made at Calcutta to construct a register of seamen, presumably in order to ascertain the numbers available and possibly to facilitate employment by roster. But the register in its present form is unwieldy and of questionable value; it includes the names of seamen who entered service as early as 1887, many of whom are now dead or have voluntarily retired from sea service. The Shipping Master declared that he had no authority to remove a name from the register and that his instructions were to register all seamen. As a result he had perforce inserted the names of men who had been out of employment for periods extending to 15 and 16 years and who were obviously unfitted for further sea service.

Principle of Rotation.

The problem has been aggravated by the tendency to concede the demand that seamen should be employed in rotation in order to

secure an equitable distribution of the available employment. This, if carried to its logical conclusion, would mean that no seaman could be allowed to remain in employment for any long period as he would thereby deprive another of his turn. Indeed, one of the demands put forward by the Indian Seamen's Union was that no seamen should be allowed to continue in employment for a period of more than 12 months at a time. We sympathise with the desire of the union to secure equal chances of employment for all its members, but the principle of rotation which is advocated by them is not in the true interests of the men, at any rate so long as they are as numerous as is the case to-day. In Bombay, where most effort has been made to follow this principle, the evils of unemployment have not diminished. A rigid system of rotation, combined with the limitation of the period of continuous employment, would mean that no seaman could hope to be employed for more than one year out of every three or four. Such a policy would make every seaman an inefficient and starved worker. It would also react unfairly on those who, by their industry and diligence, would otherwise secure reasonably continuous employment.

Reduction of Unemployment.

The primary need is the elimination of surplus seamen until a stage is reached when the numbers are such that, on the one hand, all the reasonable needs of the industry are satisfied and, on the other, capable seamen are assured of reasonable regularity of employment. Any reduction in numbers from the present level must involve some hardship, and the object should be to devise a scheme which will be as equitable as possible. The most obvious method is the stopping of fresh recruitment, which could be practised for a number of years without reducing the total number below the reasonable requirements of the industry. But the cessation of all fresh recruitment for a long period would be unwise. For, apart from the difficulty of resisting the reasonable claims of seamen, whose families have for generations followed this calling, to secure the enrolment of their sons, the result might be to break the valuable connections which the industry maintains with various recruiting areas in India. We consider, however, that fairly drastic action is necessary at the present stage, and recommend that, beginning as soon as possible no fresh continuous discharge certificate should be issued for twelve months, unless the Shipping Master is satisfied that the newcomer is actually required for employment and that suitable men are not already available. Thereafter continuous discharge certificates should be issued only to persons for whom posts are available, and the Shipping Master should use his influence to discourage the introduction of an unnecessarily large number of fresh recruits. The numbers of seamen available should be carefully watched, and, if the other measures which we propose are not efficacious, there should be, after a suitable break, a further period of 12 months in which fresh recruitment is again restricted.

Registration in the Shipping Office.

For the control of recruitment some system of registration is essential. We recommend that, in maintaining the registers, the Shipping

Masters should be authorised to exclude from them all seamen who have not been in employment for three years, and that, to begin with, a seaman should be struck off the register automatically on the expiry of three years from his last discharge. We have suggested this comparatively long period in order to avoid undue hardship to men who, through no fault of their own but owing to the existing system, have been out of employment for a long time. But the period should be steadily reduced year by year. The rate of reduction should depend on a constant review of the position, but we suggest the possibility of reducing the period by 6 months each year until it has reached 18 months. This would involve for the first year keeping seamen on the register who have not been three years out of employment; during the second year the register would be restricted to seamen who have not been more than 2½ years out of employment; during the third year to those who have not been 2 years out of employment and from the fourth year to those who have not been more than 18 months unemployed.

The Employer's Choice.

So far as the method of recruiting is concerned, we recommend that the shipping companies should have liberty of choice from men who have been in their employment within a specified period. We would put this period in the first instance at 2 years, and the aim should be to reduce it steadily until it has reached 9 months. Here again the speed of reduction must be determined by circumstances, the effect of each reduction being carefully watched. At the initiation of the system, the company would be able to select any men who had been discharged from one of their ships not less than 24 months previously, while after the necessary period of adjustment their freedom of choice would be restricted to men who had served on one of their ships during the last 9 months. If they were unable to complete a crew by the employment of such men, they should be required to recruit the men they needed through the shipping office, which would select them from those on the live register. We hope that this system will reduce the number of seamen with reasonable speed to less than twice the number that are required at sea at any time. A substantial margin must always remain to allow of seamen from time to time spending periods at their homes. The final periods of 18 months suggested in the preceding paragraph and 9 months suggested in this are both tentative; after the scheme was in operation, experience might show that different periods were better, and there should always be a readiness, if necessity arose, to alter the periods in consultation with representatives of both sides. It will probably be advisable to determine the extent of reduction of the periods for any year at least a year ahead, so that seamen could be warned on being discharged.

Abolition of Licensed Brokers.

We consider that there is now no further justification for the employment of licensed brokers in the recruitment of seamen. Where the supply of labour is considerably in excess of the demand, the necessity for recruiters and labour suppliers no longer exists. The powers of the

licensed brokers in the engagement of seamen have now been curtailed, and their employment as intermediaries is restricted almost entirely to the supply of men to fill vacancies occurring among the lower ratings immediately prior to the vessel's departure. But we do not think that an intermediary is necessary even to this limited extent. Desertions at this stage are not numerous ; any shipping companies who are unable to make their own arrangements for the supply of the necessary men should be able to secure the assistance of the Shipping Master for this purpose. We recommend that the licenses granted under section 24 of the Indian Merchant Shipping Act be not renewed.

Allotment of Wages.

Indian seamen have hitherto failed to secure the benefit of the provisions of the Indian Merchant Shipping Act relating to the allotment of wages. Under this Act, a seaman may allot, by means of a stipulation in the articles of agreement, any portion of his wages not exceeding one-third to a relative or a member of his family. We were informed that this provision had been little used, and the Shipping Master at Calcutta stated that he had not yet issued a single allotment note in favour of Indian seamen. As far as we can gather, no effort has been made to encourage seamen to take advantage of a provision which was intended for their benefit. We recommend that, as far as possible, seamen should be informed of the existence of this arrangement and encouraged by Shipping Masters to make more extensive use of it. Further, as the home of the Indian seaman is usually at some considerable distance from the port of recruitment, we recommend that the amount of the allotment should be remitted regularly by the Shipping Office by means of money orders to the name and address of the person named in the allotment note. We also recommend that the maximum limit of allotment should be raised to two-thirds of the wages of the seaman.

Articles of Agreement, Signing on and Discharge.

The representatives of a seamen's union submitted in evidence a number of points in connection with the articles of agreement and the procedure for signing on and discharge. The union urged that the provision of a column in the articles for a report on the quality of the seaman's work was prejudicial to him and that the agreement should provide for unemployment indemnity in case of loss or foundering of the ship. These matters have now been dealt with in a Bill to amend the Indian Merchant Shipping Act, which was recently passed by the Indian Legislature. A further demand was that a seaman should receive wages from the date of signing on until the date of final payment of all his dues on discharge. The object is to secure that the seaman is not required to remain in port unnecessarily when not in employment. Having regard to the prevailing indebtedness among seamen and the high cost of living in ports, we have every sympathy with this object. We received little evidence in regard to the delays which occurred between the signing on and actual engagement or between discharge and final payment of wages, and recommend that the Government should make further enquiries into the matter and take such action as may be found

necessary. With regard to the payment of wages on discharge, the Indian Merchant Shipping Act provides a maximum period of five days after discharge or three days after the cargo has been delivered, whichever first happens. We have been informed that seamen sometimes leave for their villages before the expiry of this period and, in consequence, the final payment is much delayed. The possibility of reducing this period should be considered by Government. Stress was laid by the union on the importance of signing on taking place in the Shipping Office. We recommend that this matter also should be examined.

Seamen's Welfare.

Finally, it is necessary to draw attention to the absence in ports of welfare organisations which cater for the needs of Indian seamen. We are glad to learn that in Bombay the foundation stone was recently laid of a sailors' home in memory of the Indian seamen who lost their lives in the war. The need for such institutions is great, and we hope that the example of Bombay will be followed by the other major ports of India. We recommend that the matter should receive consideration and we trust that it will be accorded the generous support of employers and the public.

Inland Steam Navigation.

The important provinces for inland steamer traffic are Bengal, Assam and Burma. Elsewhere the development of railways has greatly reduced the volume of this traffic, and the only other province with steamer services of any importance is Bihar and Orissa. Inland steam navigation is now confined mainly to the Brahmaputra, the lower reaches of the Ganges, the Irrawaddy and some of their tributaries and connected creeks and canals. Almost the entire steamer traffic of Bengal and Assam is in the hands of two important steamer companies, namely, the India General Navigation and Railway Company, Limited, and the Rivers Steam Navigation Company, Limited. It is estimated that the crews engaged by these two Companies exceed 16,000 in number. In Burma the bulk of the organised steamer traffic is in the hands of the Irrawaddy Flotilla Company, which employs crews numbering about 4,500 and in addition some 3,500 workers in its dockyard at Dalla. The higher as well as the lower ratings of the inland steam vessels come from the same area as seamen, namely, the Noakhali and Chittagong districts of Eastern Bengal and the Sylhet district of Assam; the majority, who come from the vicinity of Chittagong, have shown through generations keenness and aptitude for this kind of work.

Conditions of Employment.

The leading ratings employed on inland vessels are *serangs* and drivers in charge of the deck crews and the engine room respectively. As a rule they are engaged directly by the steamer companies and are responsible for the navigation of the steamers on which they are employed, but on the larger vessels in Burma they work under the commander and the engineer by whom they are engaged. In accordance with the provisions of the Inland Vessels Act these men are required to obtain

certificates of competency, which are granted by the local Government to persons qualifying by examination. The lower ratings are supplied by the *serang* or driver, who is responsible for their recruitment, and through whom wages are paid. The companies thus have no direct dealings with members of the crew. Unlike seamen on ocean-going ships, the crews are not supplied with rations, the normal practice being for the *serang* to provide a joint mess for which a fixed amount is subsequently deducted from each man's monthly wages. Where men who are comparatively low-paid, such as *serangs* and drivers, are given full responsibility for both the engagement and payment of workers, there is always a danger of abuse, even though there is the safeguard that the employing agent comes from the same village as his men, many of whom may be relations or friends. It was stated in evidence by the Irrawaddy Flotilla Company in Burma that the indirect system of engagement is unavoidable by reason of the indiscriminate changes among the *lascars* who form the crew. Men may leave the vessels overnight, leaving substitutes in their place and, though a register is kept by the commander to show the names of all the crew, the names are not always those of the men actually serving at the time. The Indian Seamen's Union and the Bengal Mariners' Union have been insistent in demanding direct engagement. Complaints have also been made by these two unions of abuses in recruitment and the lack of security of service. In Burma, the wages of *lascars* are Rs. 25-8-0 a month, paid through the *serang*. In India, it was alleged by a union that men sometimes get only Rs. 8 or Rs. 10 a month from the *serang* who may provide the messing, while statements furnished to us by a union and by one of the principal companies show that, generally speaking, for the lowest ratings the minimum pay is Rs. 20 a month. The hours of work are necessarily irregular, as they depend on various factors such as tides, fogs, the length of trips and the time taken to turn the vessel round at the end of the trip. In Burma, the Irrawaddy Flotilla Company in evidence gave the average hours worked per day as nine. In India, according to the statement furnished to us by the Rivers Steam Navigation Company, Limited, the men work on an average 7 hours a day and 49 hours a week. We regret that the evidence which we have obtained is insufficient to justify our reaching any definite conclusions regarding the conditions of employment in this industry, which require a more detailed investigation than we were able to give. We recommend that such an investigation should now be undertaken by the Governments of Bengal and Burma. Among the questions to which attention should be directed are the working of the present system of recruitment and discharge, the possibility of direct employment and direct payment in the case of lower ratings, wages, hours, conditions on board and the arrangements made by the steamer companies for members of the crew who have been put ashore owing to sickness while away from the place of engagement.

Docks.

The important docks of India lie within the ports of Calcutta, Bombay, Rangoon, Karachi and Madras. The control of these ports

is vested in Port Trusts constituted under provincial Acts and consisting of representatives of shipping and commercial interests and a few official and nominated members. In one or two ports the latter include a member representing labour interests, and we recommend that this practice be extended to all the major ports. The following table of the total trade of the five principal ports in India gives an indication of their growth and relative importance:—

Name of port.	Pre-war average.	War average.	1926-27.	1927-28.	1928-29.	1929-30.
	Rs. (lakhs.)	Rs. (lakhs.)	Rs. (lakhs.)	Rs. (lakhs.)	Rs. (lakhs.)	Rs. (lakhs.)
Bombay ..	1,45,45	1,58,37	2,05,04	2,15,52	2,22,91	2,11,73
Calcutta ..	1,59,78	1,62,50	2,37,97	2,54,29	2,60,22	2,40,24
Rangoon ..	48,96	51,54	92,69	1,03,64	90,77	94,19
Karachi ..	47,87	46,88	71,55	71,89	74,44	66,47
Madras ..	19,61	21,15	41,98	47,73	52,03	50,62

Labour in Docks.

The demand for dock labour is intermittent; it depends upon the arrival and departure of vessels and the size and nature of their cargo as well as on seasonal and cyclical fluctuations. In India, the monsoon is an additional factor affecting both shipping arrangements and the amount of produce available for export. In all ports, therefore, there is usually labour in excess of immediate requirements, and the tendency is for employers to encourage larger reserves than necessary in order to provide ample margins against emergencies. We visited the leading ports and received both written and oral evidence regarding the conditions of employment. Usually the port authorities maintain a permanent establishment under their direct control, but the bulk of the labour engaged in loading and unloading is casual and is employed indirectly through stevedores or other contractors. In regard to the latter, there is no uniform system of employment in the different ports. In Karachi, the loading and unloading on the docks is entrusted to stevedores who employ *jemadars* or headmen to provide the necessary labour. The *jemadar* receives payment from the stevedore for the work done by his gang, the members of which are in turn paid by him. At Bombay the casual dock labourers are employed through *toliwalas*, who are paid by the Port Trust at piece-work rates on the tonnage handled. The *toliwalas* pay their men sometimes on tonnage and sometimes at daily rates, according to the nature of the cargo. Some of the bigger *toliwalas* may have 10 to 15 gangs working under them, while the smaller ones control two or three gangs; the average size of each gang is 15 to 18. The Port Trust have about 40 or 50 *toliwalas* on their register. In Calcutta, most of the dock labour is supplied by one firm of contractors and is not directly employed by the Port

Commissioners. The establishments maintained by the latter at the coal berths and tea warehouses are recruited after personal inspection by the Deputy Jetty Superintendent. The labour supplied by the contractor is recruited chiefly from Bihar and the United Provinces through sardars. For handling heavy cargo and certain other classes of work the contractors employ monthly paid labour working in gangs of 20 men each under a sardar but paid individually by the firm. Most of the work is paid on the piece-work system through sardars, who maintain gangs of from 40 to 100 men each and who are paid according to the tonnage handled by their gangs. The earnings of each gang are distributed among the men by the sardar who deducts half an anna in the rupee as his share, except where he himself is a working member in the gang, in which case he retains two shares, one for his work and the other as his commission. The representatives of the firm of contractors stated in evidence that their agents maintain personal touch with the men to prevent unauthorised deductions by the sardar. In Rangoon, with the exception of 30 labourers employed in the warehouses who are on monthly wages, no dock labourers are employed on the staff of the Port Commissioners. The work of loading and unloading ships at wharves and jetties is given out on contract for which tenders are invited. The present firm of contractors are paid on the basis of tonnage loaded and shipped. They maintain a permanent establishment of 250 men who are paid monthly wages, but in addition engage casual labour at daily rates as required. The *maistries* or sardars and labourers are paid separately by the contractors. In Madras, the Port Trust employ a small departmental staff of two or three hundred men in their sheds, but most of the handling of cargo is done by contract labour. Besides the labour employed by or on behalf of the Port Trusts, there is the labour employed by shipping companies or stevedores. Here, too, the main feature is the absence of direct employment. The shipping companies or stevedores employ foremen, known variously as *tindals*, *mukaddams*, gang *maistries*, *jemadars*, *joliwalas*, or sardars. Each of these brings one or more gangs of dock labourers who work under his supervision and receive their wages from him. The shipping companies or stevedores pay the foreman for the work done and leave it to him to distribute the amount among his men. In Rangoon and sometimes also in other ports, it is the recognised practice for the foreman to increase his own earnings by employing fewer men in the gang than the number specified and paid for by the company.

Unemployment and Under-employment.

The main problem in connection with dock labour is that of minimising the hardships due to unemployment or under-employment. The unemployed may not appear, as in the West, at "calling-on-stands", but they are to be found in their lodgings, in the streets or at the dock gates seeking employment. In Karachi, we were informed that the depressed condition of the export trade, which fell from 2,070,000 tons in 1924-25 to 661,000 tons in 1928-29, has led to general retrenchment in office and labour staffs. Labourers complained that they were unable

to secure adequate employment to maintain themselves and their families, and this was confirmed by evidence that wharf labourers were employed for only about 10 to 12 days in a month. In Rangoon also there has been serious unemployment. More than half the export from this port consists of rice. We have been supplied with a statement showing that, while average monthly exports during 1929 amounted to 306,000 tons, the tonnage in March was 438,000 and in November 240,000 only. Imports also fluctuated in 1929 between 100,000 tons in March and 175,000 tons in October. The representative of stevedoring firms in Rangoon stated that, in the busy season from February to April, men work seven days a week, but over the year the average would not be more than 12 or 13 days in the month. The British India Steam Navigation Company, who have on their books 90 gang *maistries*, estimate the average number of shifts worked by each of these men at 17 a month, but we have no information as to the extent to which the personnel of the gang varies, and this obviously affects the amount of employment obtained by individual members. The position has been complicated by the recent arrangement to employ Burmans on a fifty-fifty basis with Indians who, until June 1930, were alone employed on the docks. No detailed figures were received regarding the position at other ports, but we believe that there also problems of unemployment and under-employment require attention. So far no attempt has been made to decasualise dock labour. The tendency has been rather to distribute employment among increasing numbers, with the result that the average earnings of the workers have diminished without any reduction in wage rates.

Decasualisation and Registration.

We consider that those labourers who regularly offer themselves for work at the docks are entitled to secure as large a measure of regular employment as the nature of the calling will allow. This can only be secured by decasualisation. We recommend the adoption in each of the main ports of a system of registration, which should be supervised and controlled by the port authority, assisted by representatives of shipowners, stevedores and labourers. A register should be compiled of all workers who have a genuine claim to be regarded as dock labourers. It should include all those employed on the work of loading and unloading on board ships, or on shore, *i.e.*, harbour, dock, wharf, quay or at any similar place where such work is carried on. The existing system, which gives to low-paid *toliwalas* and other intermediaries the power to determine which men should receive employment, is bound to be associated with abuse, and a representative of one of the leading Port Trusts, speaking of bribery and corruption, said " I think it is probably too general among that class of people for any one to look upon it as other than customary ". The aim should be, first to regulate the numbers of dock labourers in accordance with requirements and, secondly to ensure that the distribution of employment depends, not on the caprice of intermediaries, but on a system which, as far as possible, gives all efficient men an equal share.

Safety in Docks.

There are at present no regulations to protect the bulk of dock workers engaged in handling cargo against the risk of accidents, nor is there any inspection by an independent authority to ensure that adequate precautions are taken for the safety of dock workers. The bye-laws framed by the Port Commissioners of some of the ports contain provisions for the safety of the workers, but these apply only to the employees of the Port Trust and not to dock labour employed by private firms. There is no legal obligation to report the majority of accidents in docks, and investigations into accidents have to be conducted either by the Port Trust authorities, who are themselves substantial employers of labour, or by the police. Accurate statistics of accidents are not available and there would appear to be little systematic effort to devise preventive measures. In Bombay and Calcutta arrangements are made for the periodical testing of chains and slings used by contractors' labour, and registers are maintained of all tests carried out by the port authorities. Such arrangements are not to be found in all ports, and we consider it important that a proper system should be introduced of testing all gear and equipment used in the handling of cargo. We understand that the matter has been under the consideration of Government in connection with the Draft Convention adopted by the Twelfth International Labour Conference concerning the protection against accidents of workers employed in loading or unloading ships. We recommend that legislation empowering local Governments to frame safety regulations for docks should be undertaken without delay. The regulations should be prepared in consultation with the Chief Inspectors of Factories, who should also be made responsible for their enforcement. The regulations should further provide for the proper reporting of all serious accidents.

Hours of Work.

The hours of work of dock labour vary from port to port, and there are no restrictions either on normal working hours or on overtime. Although the excess of labour is greatest in Karachi and Rangoon, in these ports the hours of work are longest. The day shift in Karachi extends to 12 hours in summer and to 11 in winter, with one hour's interval, while the men on the night shift work for 11½ hours without a break. A proposal to reduce hours was considered by the Port Trust, but met with opposition and the Trust decided not to pursue it. It was revived by a strike which occurred immediately after our visit, but, so far as we are aware, apart from a promise from the stevedores that they would not oppose any reduction which might be agreed to by the Port Trust, nothing has been done. In Rangoon the day as well as the night shifts are 11 hours in duration, without any interval except between the two shifts. In Madras the daily hours are also 11, but the workers are given an hour's interval in the middle of the day. In Bombay the men on the day shift work 9 hours and on night shift 8 hours, while in Calcutta the hours of work are between 7 A.M. and 5 P.M. with two intervals of half an hour each. Having regard to the heavy character

of dock work, we consider that the normal hours of work in Karachi, Madras and Rangoon are unduly long. In the matter of overtime also there is need for protection. In Bombay we were informed that, if a ship is working continuously day and night, a gang is ordinarily required to work three consecutive shifts—a day, a night and a day, *i.e.*, 25 hours excluding breaks. Payment is made at the same rate for all three shifts. Such excessive hours are both unnecessary and unreasonable, though it was stated that the men rest in turns while work is going on. The work of loading and unloading ships is more arduous than most forms of factory work and there is, in consequence, at least as much need for control in the one case as in the other. The maximum daily limit of 10 hours, which we have suggested for factories, is not suitable for docks, as, without a weekly holiday or a limit of weekly hours, this might involve too heavy a strain on the worker, particularly as overtime is necessary in certain cases where the employment of a different shift would not be practicable. We recommend that for docks the normal daily hours prescribed by law should be fixed at 9, but overtime should be allowed up to a maximum of 3 additional hours of work on any one day. In order to prevent an abuse of overtime, we recommend that payment for each hour of overtime work should be required at not less than 33⅓ % over the ordinary rates. It may be necessary for local Governments to provide exemptions to meet exceptional circumstances. As in the case of the safety regulations, the enforcement of the measures relating to hours of work should be entrusted to the factory inspection department of the province. As the docks are situated in industrial centres, we do not think that this new field of inspection should involve any great increase of staff, particularly if, as we anticipate, the co-operation of the port authorities is obtained.

Sir Alexander Murray considers that, in view of the irregular nature of the employment, it would not be unreasonable to initiate legal restrictions on the hours of work of dock labour in this country by fixing the normal daily hours at ten and allowing overtime up to two hours on any one day payable at not less than one and a quarter times the regular rate.

Employment of Children.

As a result of the consideration given to the Washington Convention fixing the minimum age for admission of children to industrial employment, the Indian Legislature passed an Act in 1922 making it obligatory on the local Government to frame rules under the Indian Ports Act of 1908 prohibiting the employment of children under the age of 12 years "upon the handling of goods at piers, jetties, landing places, wharves, quays, docks, warehouses and sheds." Although such rules have been duly promulgated in the only port in which we found children employed, some children below the prescribed age were employed in the coaling of ships. We were uncertain if such employment was an infringement of the law, in view of the fact that the coaling was done on the waterside of the ship and not at a pier, jetty, etc., mentioned in the Indian Ports (Amendment) Act of 1922. Since our visit, an amending Act

has been passed, which should put the matter beyond doubt. Provincial Governments are now required to frame rules prohibiting the employment of children under the age of 12 years upon the handling of goods "in any port subject to this Act". As in our view work of this kind is not suitable for children and a system of half-time working is not practicable, we recommend that the minimum age should be raised to 14 years. It should be the duty of the factory inspector to secure the due observance of the law in this respect.

Tramways and Motor Buses.

Tramways and motor buses are the remaining forms of transport with which we deal. Tramways have been in existence for a number of years, but are to be found only in a few of the more important cities, such as Calcutta, Bombay, Madras, Rangoon, Cawnpore, Delhi and Karachi. In Calcutta and Bombay they give employment to about 6,000 and 4,500 workers respectively; in other centres the numbers are considerably smaller. The scope for their expansion is limited as there are comparatively few cities in India with a population exceeding 200,000 persons, and most Indian towns are merely overgrown hamlets without any of the modern conveniences associated with town life in the West. The tramways thus employ only a small number of workers. The system of recruitment does not differ materially from that obtaining in the larger factories. Both in Calcutta and Bombay a considerable proportion of the workers comes from outside, and the number of men applying for work is well in excess of the number of vacancies. Selection is made by a responsible officer of the company. The selected men are first required to pass a medical test as to their fitness and have then to spend about 6 weeks in a training school. In Calcutta 65% of the workers have only five years' service or less, while in Bombay the percentage is as high as 76. The hours of work are generally fixed on the basis of an 8 hour day, but the actual hours worked by the traffic staff are longer, *i.e.*, 9 or 10 in one case. This is attributed to delays on the road and also, to a large extent, to the extra trips which have to be worked on account of absenteeism. In Bombay the normal working days are six in the week; in Calcutta the men are allowed a rest day with pay if they work for six days, but if they work on the 7th day, as do many of the up-country men, they receive an extra day's pay. Motor buses, unlike tramways, are a recent development and their possibilities are very much greater. Fifteen years ago there was hardly a bus service in India, but to-day the motor bus is to be found in the cities and also over the entire countryside, wherever there are roads fit for motor traffic. The total length of metalled roads in British India is now over 60,000 miles and road development may be expected to make rapid strides in the near future. For the most part the bus services in India are the result of individual enterprise rather than the creation of large concerns; many are carried on under a system of unbridled competition by numbers of small owners. The number of drivers and conductors employed in the various bus services throughout India must now be fairly large, but we received no evidence as to their hours of work or other conditions of employment.

Control of Hours.

The control of hours of work on all tramways and motor buses raises problems of great complexity. So far as tramways alone are concerned, we do not think that control would be difficult, but it is probably here that it is least needed. The regulation of hours of motor bus workers both in cities and in the country, especially the latter, would be very difficult in the present stage of development, and would involve the restriction of hours, not merely for labour, *i.e.*, for persons who are employed by others, but for owner-drivers with whom we are not concerned. When the hours of work exceed what is reasonable for the driver, they exceed what is safe for the passengers, and both considerations will require increasing attention. But we are not in a position to indicate any general scheme of control which would be effective at the present time. The extension and development of motor transport will necessitate an increasing measure of control by the licensing authorities. We therefore suggest that, in granting licenses, the authorities should consider whether, in particular cases, a limitation on hours is required, and if so, how it can be enforced. We consider it preferable not to enforce a statutory restriction on tramways at this stage, but we recommend to those responsible for their management that the weekly hours should not exceed 54 per week, and that the hours of duty should be so arranged as to compel the workers to take one day's rest in seven.

Public Works.

In concluding this chapter we desire to make some recommendations in respect of public works. If we had followed strictly the definition of an "industrial undertaking" adopted by the First International Labour Conference in the Hours of Work Convention, we would have been compelled to regard our terms of reference as covering all labour employed on construction, maintenance and repair work of all kinds, from village houses to the largest canals. Building work of various kinds is, for the most part, quite unorganised and is scattered all over India. We therefore found it necessary to limit severely our survey in this direction and confined our attention to public works. These include the great majority of the larger constructional enterprises in India and an immense number of smaller works of all kinds. Indeed, there is probably no country where Government takes so large a part in the construction and maintenance of canals, roads and buildings. Every province has its own Public Works Department, which is usually divided into two branches, namely, the Irrigation Branch and the Roads and Buildings Branch, each with its own staff. The great irrigation canals now irrigate about 27·5 million acres and are being steadily extended. At the present time there is in progress in Sind the Lloyd Barrage and Canals Scheme, which is perhaps the biggest work of its kind in the world. It was started in 1921 and is not expected to be completed until 1934. The labour employed is imported from many distant areas, such as Rajputana, the Punjab, the United Provinces, the Frontier areas and Afghanistan. The supply of labour has been increasing each year and so far has never been equal to the demand. It also shows considerable variations with the seasons. In 1928-29 the

number employed was about 45,000, of whom not less than 2,000 were skilled workers. On the Roads and Buildings side the Government is also a very large employer of labour. It is responsible for the maintenance of all trunk roads and a great number of official buildings of all sizes. The biggest task undertaken in this connection in recent years has been the creation of the new capital at Delhi, which began before the war and is now practically completed. The numbers employed here fluctuated from 4,000 to over 20,000, the greater part of the labour employed being from Rajputana, Central India and the Bombay Presidency. Here, as in other constructional works, a number of women were employed and child labour was not unknown.

Employment of Contractors.

To a large extent, the building and construction works undertaken by Government are entrusted to contractors, the Public Works Department exercising a general supervision over their execution. At Sukkur over 90% of the workers employed on the Lloyd Barrage and Canals scheme are employed by contractors and in New Delhi the position was very similar. It is fairly generally assumed that, from the point of view of Government, employment through contractors is the only satisfactory method. The objections urged against direct employment are the absence of adequate departmental arrangements for the control of substantial labour forces, the additional cost and the difficulty that confronts Government in making advances, with their attendant risk of loss, to secure labour from a distance. So far as the control of labour is concerned, there is no technical difficulty in making departmental arrangements if necessary, but it would inevitably entail extra staff. With the repeal of the Workmen's Breach of Contract Act, the power of contractors to retain unwilling labour has gone, and both Government and contractors must depend on making conditions attractive. As we show later, the difficulty regarding advances can be surmounted. Thus the question of departmental employment, so far as Government are concerned, reduces itself to one of costs, and most engineers appear to be convinced that, so far as these are concerned, employment through contractors is distinctly advantageous.

Fair Wages.

On this view we would remark that there is another question besides that of cost to be considered, and we think that this should receive more attention. We are far from satisfied that labour receives reasonable treatment from all public works contractors. The Chief Engineer of the Lloyd Barrage and Canals Construction stated that conditions of labour would be decidedly improved if it were employed departmentally, and we believe that, if contractors were in all cases required to give fair treatment in respect of wages, housing, sanitation and other services, there would be an enhancement in the cost of the work. This is an enhancement which, if necessary, Government must be prepared to face. So far as wages are concerned, no control is exercised at present, and the supervision of contractors is limited to the settlement of disputes regarding payment. We

recommend that, in all cases where contractors are employed by the Public Works Department, the contract should contain definite provisions regarding the wages to be paid. We do not think that the method adopted elsewhere of a " fair wages clause " can be applied without modifications in India, and in its place we suggest that the actual wages to be paid for different kinds of work should be specified in the contract. If it were necessary to make contracts for the supply of labour over a long term, provision could be made for the revision of the rates of wages from time to time and for corresponding additions to, or reductions from the rates payable to the contractors. We also recommend that contracts should stipulate the age below which persons should not be employed and this should in no case be less than 12 years. Mr Cliff, Mr Joshi, Diwan Chaman Lall and Miss Power, however, are of opinion that this work is comparable to that undertaken by children in and about mines, and on docks, and that theminimum age of employment should be 14 years.

Health on Public Works.

So far as housing and sanitation are concerned, the practice appears to vary. In some cases contractors are required to take measures regarding sanitation and health and housing ; but this is not always the case, even on large works where much labour is brought from a distance ; nor does Government undertake to house contractors' labour. Further, it does not appear to be the regular practice to consult the medical and public health departments before large engineering works are started, or to secure their co-operation during the progress of the schemes. Too often the determination of the scale of medical and public health activity is left to the public works authorities, and the engineer in charge of the construction is made responsible for the control of health on the work. In some provinces the rules do not appear to require previous consultation with the Department of Public Health. In more than one case an important work has been started without any such reference, and occasionally a big work has been carried on for some time without any control being exercised by the medical or public health authorities over the health arrangements. The results, as our evidence shows, have not been satisfactory. We recommend that, where large construction works are to be carried out either by the Public Works Department itself or through the agency of contractors, and especially where workers are to be employed for any length of time in the same area, the Medical and Public Health Departments should be consulted beforehand. In addition, definite rules should be framed in all such cases regarding the supply of proper housing and sanitary arrangements for all persons employed and providing for the treatment of cases of sickness or accident, including accommodation for cases of infectious disease. We also recommend that the Medical Department should be entrusted with responsibility for the health of those employed on such works.

Direct Employment.

Experiments in departmental working on a large scale appear to have been rare, but we have been given particulars of the results

recently obtained in the Central Provinces in connection with the construction of the Kharung and Maniari reservoir canals in the Bilaspur district. Here the department found difficulty in securing labour through contractors to the extent necessary to complete the works, and in 1924-25 they started departmental recruiting. The numbers so employed in the first year were under 3,000 and rose steadily until about 10,000 persons were employed departmentally in 1929 against 5,000 employed through contractors. It was stated by the department that the work had been carried out much more expeditiously at a lower cost and that labour was getting a bigger return than it would receive from contractors. Advances were given to recruit labour from a distance and the department bore the losses which arose from defaults by those to whom advances had been given. Experience has shown, however, that labourers are more ready to accept employment departmentally than from a contractor, and the total loss in respect of advances does not seem to be large. This district supplies labour to many industries, and we do not suggest that experience elsewhere will necessarily be similar, but we recommend that the possibilities of the wider application of departmental working should be considered by the Public Works Departments generally. The system of employing labour through contractors on large works is one of very old standing, and, with the great changes in conditions in recent years, we are by no means satisfied that its advantages are as great as they were in the past.

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CHAPTER XII.—THE INCOME OF THE INDUSTRIAL WORKER.

We have now completed our endeavour to survey working conditions in the different branches of industrial activity. This and the three following chapters deal with matters affecting the standard of life of the industrial worker. The present chapter is concerned mainly with his income. After discussing the adequacy of the material available, an attempt is made to give an indication of the wage levels in different industries and centres. Some observations are added on individual and family earnings and on the expenditure of the family. We then pass to the discussion of methods of raising the standard of living, which is shown to involve the raising of the standards of efficiency, of earnings and of health and welfare. Numerous methods of increasing efficiency have been discussed in previous chapters, and health and housing are treated in subsequent chapters. The latter part of this chapter is consequently devoted mainly to the discussion of possible methods first of enhancing earnings, and secondly of making them more effective. Here, we deal under the first head with the direct raising of wages by employers and then with the fixing of minimum wages, adding some observations on the standardisation of wages in the leading industries. The prevalence of deductions from wages and their regulation are also reviewed. Under the second head, we deal with the reduction of expenditure on drink, leaving the important question of reducing the burden of indebtedness for the following chapter.

I.

Statistical Material.

In our terms of reference we are directed to report on the 'standard of living of the workers'. No part of our task has given us greater difficulty, and we must frankly state our inability to give this subject the treatment it deserves. It would, of course, be impossible for any Commission which conformed to reasonable limits of time and expenditure to attempt an original analysis of the standard of living of several millions of workers scattered over a sub-continent, distributed over many industries, with a great variety of occupations, and separated into many groups by climate, race, civil condition, religion, tradition, income and other factors. At the best we could hope to give only a summary of the general position, based on the scientific observation of others, and rendered somewhat more vivid by our own observations and the experience of those witnesses who appeared before us. But when we addressed ourselves to this less ambitious task, we found that, even for this, the essential material was wanting. The only investigations so far made with any claim to statistical adequacy are those conducted by the Bombay Labour Office in the principal centres of that Presidency and one enquiry into the standard and cost of living of the working classes in Rangoon. The Bombay enquiries consist of three investigations into wages in the cotton mill industry in that Presidency and investigations into working class budgets in Bombay, Ahmedabad and

Sholapur. These enquiries are of great value as a guide to local conditions; but in a country presenting the variations of India, they cannot be treated as typical. Enquiries made in two centres of the Central Provinces and six centres in Bihar and Orissa have been directed towards measuring the movements in the cost of living and a little work on this has been done elsewhere; but none of these enquiries has attempted to determine actual representative earnings and expenditure. In Bengal, the leading industrial province of India, not even the construction of a cost of living index has been attempted, and a statistical analysis of earnings and expenditure is entirely lacking.

Evidence Obtained.

In the course of our tours, we attempted to supplement the statistical material available as best we could. Employers readily gave particulars of their rates of wages, but as a rule these throw less light on earnings than do wage rates in other countries, and for our present purpose earnings are of far greater importance than wages. Information regarding expenditure is even more difficult to obtain. As might be expected, the worker seldom keeps any accounts and, even among educated men, there are few who would find it easy, even if they had no natural reticence, to explain without reference to documents how their income was spent. We examined and conversed with a large number of workers and others who were informed on the subject, and in personal visits to the workers' houses we endeavoured to supplement by the "evidence of the eye" the information otherwise available.

Special Enquiries.

As our first winter's work progressed, it became steadily clearer to us that the material we could collect in the ordinary way would fall far short of yielding all the information desired. We therefore decided, at the end of our first winter's work, to appeal to Government for further assistance. In a circular letter, which was addressed to the provincial Governments and to the leading railways and is reproduced elsewhere, we asked them to utilise the period which was available in the collection of information bearing on the standard of living of the workers. What we desired, in particular, was "evidence of the same character" as the Commission "might itself have secured if it had had a much longer time at its disposal and had been able to obtain from a number of witnesses information of a somewhat intimate character regarding their manner of life". We appended to our letter a schedule indicating the particulars for which we were looking. We are under a deep obligation to the Governments, the railway administrations, the employers, the workers and the numerous officials who co-operated in assisting us in this matter. Having regard to the very great difficulties which limitations of time, means and personnel imposed, the results obtained are by no means disappointing. Their value would have been enhanced if more attention had been paid to the crucial question of sampling, for in a number of cases the efforts have been dissipated over too wide a field. But practically all the enquiries have served a purpose in throwing a sidelight on the

subject, and providing some check on other material. Limited enquiries of the kind suggested cannot hope to do more. Much of the information obtained, which has been of help to us, will not be without interest for students of the subject, and we hope that it may serve to point the way to the more thorough enquiries that are urgently required. Of the Government enquiries, that of the United Provinces is the best example of the type of report we hoped to secure. Among railways, the South Indian Railway, in which a committee was appointed to investigate the subject, and the East Indian Railway have both furnished reports of special interest.

Inadequacy of Material.

The collection of statistics bearing on labour is discussed in a later chapter. But we would stress here the great importance of enquiries into the standard of living of the workers. We are by no means the first to find ourselves crippled by past neglect in this direction. We owe to the efforts of the few scientific enquiries and to the labour of those who have supplied us with evidence the fact that the material is sufficient to indicate the main features of the economic life of the workers and to give us confidence in dealing with some of the questions that have a close bearing upon that life. But it is inadequate as a basis of any complete treatment of the workers' ills. We can realise the workers' chief difficulties, we can distinguish the factors that create them, and we can point to directions along which much can be done to mitigate them. But a quantitative analysis is impossible. Even to such an elementary question as the extent to which the workers' earnings suffice to provide for their necessities no precise answer can be given.

Movements of Prices and Wages.

Before discussing the position further in the light of such material as is available, we desire to offer some comments on the changes in the position in recent years. A sharp rise in prices took place towards and after the end of the war. Increases in wages were granted in the leading industries, but these did not as a rule meet the rise in prices, and by the middle of 1920 the level of real wages was generally lower than before the war. In 1920 and 1921 there was a general rise in wages; prices reached their highest point in the autumn of 1920, and the general tendency thereafter was downwards, so that by 1923 the workers were generally better off than before the war. Since then prices have fallen substantially; there have been some reductions of wages, but there has been no general fall in wages commensurate with that of prices, and the general level of real wages for industrial workers is probably higher at the moment than at any previous period. We are writing, however, at a time when a remarkably sharp fall in prices has produced an unusual position; the Bombay working class cost of living index number, which stood at 40% over the 1914 level in July 1930, had fallen to 22% in December. As it would be dangerous to assume that the present position is stable we should make it clear that, in discussing facts bearing on the standard of life of the workers, we are dealing with the

position not later than a year ago. Indeed, many of our facts relate to earlier dates.

II.

Earnings of Cotton Mill Operatives.

We now endeavour to set down a few statements regarding the general wage levels in some of the leading branches of industry. In the cotton textile mills, over two-thirds of the operatives of British India are employed in the Bombay Presidency, and, as we have stated, there is here a large amount of detailed statistical information available. The three important centres in this Presidency are Bombay, Ahmedabad and Sholapur. The first wages investigation made by the Bombay Labour Office related to May 1914 and May 1921, the second to August 1923, and the third to May 1926 in the case of Ahmedabad and to July 1926 in the case of Bombay and Sholapur. These last figures were published in 1930, and no later statistics are available. We therefore confine our attention to the last enquiry which was based on the actual muster rolls of selected mills in each of the three centres. A feature of importance here is, to quote the Labour Office, the " very wide variations which exist both in the methods of payment and the manner in which the rates are fixed not only as between centre and centre but also as between unit and unit in a particular centre ". In Bombay the average earnings of the two-loom weavers in 19 selected mills varied between Rs. 1-9-1 and Rs. 2-1-6 per day. In Ahmedabad the variations were even wider. The average daily earnings for men according to this enquiry were Rs. 1-8-0 in Bombay, Rs. 1-6-8 in Ahmedabad and Rs. 1-0-5 in Sholapur. For women the respective figures were Re. 0-11-11, Re. 0-12-6 and Re. 0-6-8. In the selected mills in Bombay, no children were employed ; for Ahmedabad and Sholapur their average daily earnings were Re. 0-5-6 and Re. 0-4-0 respectively. In every centre absenteeism is a factor of some importance, and in the table below we give the average monthly earnings of all operatives so far as they are available, and the percentage and average earnings of operatives who worked without any absence :—

Group.	Centre.	Average monthly earnings of all workers.	Workers who worked without any absence.	
			o/o age.	Average monthly earnings.
		Rs. A. P.		Rs. A. P.
Men ..	Bombay ..	37 10 2	53	44 3 6
	Ahmedabad ..	..	56	38 4 0
	Sholapur ..	23 15 6	31	26 10 2
Women ..	Bombay ..	17 12 4	33	20 4 6
	Ahmedabad ..	..	56	21 1 6
	Sholapur ..	9 15 7	25	11 6 7
Children ..	Ahmedabad ..		70	9 4 6
	Sholapur ..	5 10 4	36	6 13 10

We add below the figures given by the Labour Office for the average daily earnings of certain classes of operatives employed in the cotton mills of the Bombay Presidency.

Class of labour.	Bombay.		Ahmedabad.		Sholapur.	
	Men.	Women.	Men.	Women.	Men.	Women.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Weavers—						
2 Looms ..	1 13 4	..	1 13 5	..	1 9 9	..
3 Looms ..	2 8 6	..	2 6 6	..	..	..
4 Looms ..	2 14 2	..	3 6 4	..	3 6 9	..
Ring Spinning—						
Siders ..	1 0 3	0 15 2	0 15 2	0 15 1	0 11 5	0 11 0
Tarwallas (Followers).	0 15 5	0 14 3	..	..	0 9 2	0 8 8
Doffers ..	0 12 1	0 11 5	0 10 7	0 10 5	0 8 1	0 7 10
Winders—						
Time ..	0 14 10	0 13 1	0 13 3	0 11 2	0 7 10	..
Piece ..	1 1 4	0 12 10	0 15 2	0 12 7	..	0 6 4
Reelers—						
Time ..	..	0 7 11	0 13 2	0 9 7	0 9 0	0 8 10
Piece ..	..	0 10 11	0 15 0	0 14 5	..	0 6 9

In other centres no thorough statistical enquiries have been made. In the Madras Presidency wages for weavers in cotton mills are reported by the Chief Inspector of Factories to be in the neighbourhood of a rupee and for male spinners about ten annas a day. But there are wide variations within the Presidency itself, wages in outlying centres, such as Coimbatore and Madura, being substantially lower than those in Madras city. In the United Provinces, where Cawnpore is the most important centre, the Chief Inspector of Factories gives the rates of wages for male weavers as Rs. 33 and for male spinners as Rs. 25 per month. In the Punjab, Delhi and Bengal, rates tend to rule substantially higher than in the United Provinces.

Earnings in Jute Mills.

No thorough statistical enquiry has been made in the jute mills of Bengal, but we have been furnished with statements of average wages by the Indian Jute Mills Association. The figures relate to 1929 when the mills were working on a basis of 60 hours per week for single-shift mills and 120 hours per fortnight for multiple-shift mills, the machinery in the latter running 4 days (54 hours) one week and 5 days (66 hours) the next week. The maximum hours permissible to workers in the multiple-shift mills were thus limited to 44 and 55 respectively, as compared with 60 hours in the single-shift mills. The statement gives the

average weekly earnings, in the departments named, of all workers except sardars :—

Department.	Multiple shift.		Single shift 5½ days=60 hours per week.
	4 day week.	5 day week.	
	Rs. A. P.	Rs. A. P.	Rs. A. P.
Sacking weaving	8 2 9	9 3 0	9 8 0
Hessian weaving	5 15 0	7 4 9	8 4 6
Sacking winding	4 9 6	5 1 3	5 12 0
Hessian winding	4 8 7	5 6 0	5 12 0
Sacking spinning	2 9 6	3 4 9	4 2 0
Hessian spinning	3 0 3	3 14 0	4 2 0
Batching	2 12 9	3 9 9	4 5 3

Since the above statements were submitted, the mills have further reduced working hours, but no later figures are available.

Wages in Engineering and Metal Industries.

We have been furnished with figures of rates and in some cases of average earnings of the skilled and semi-skilled labour employed in engineering and metal works. There is, however, no uniformity in the returns, some of which are compiled on a daily and others on a monthly basis. The variety of occupations and the great differences in skill are reflected in the wide variations of rates and earnings and make a detailed analysis difficult. Taking five typical occupations—masons, carpenters, blacksmiths, fitters and turners—the earnings are highest in Bombay City and Ahmedabad. Masons there may earn from Rs. 50 to Rs. 70 a month, carpenters and blacksmiths from Rs. 60 to 75, and fitters and turners between Rs. 65 and Rs. 80. In Sholapur the rates are appreciably lower. They are lowest in Madras, Bengal, Bihar and Orissa and the United Provinces, where the average monthly earnings of masons are in the neighbourhood of Rs. 30, of carpenters about Rs. 35 and of blacksmiths, fitters and turners about Rs. 40. Midway between the two extremes come the Central Provinces, Burma, the Punjab and Delhi in the order named. Bombay rates are reflected in the Central Provinces, where earnings generally are higher than in Burma, which in turn has a somewhat higher level than the Punjab and Delhi. In all areas the upper limits depend on the skill of the operative and there are better openings for advancement in this branch of factory industry than in textiles.

Wages in Seasonal Factories.

Of the seasonal factories, we select cotton ginning and pressing as being the most important. The Madras Government give the following daily rates for 1928 :—

Class of labour.	Factories in the Coimbatore district.	All factories in the Presidency.
	Rs. A. P.	Rs. A. P.
Ginning—		
Men	0 7 3	0 8 0
Women	0 5 7	0 5 1
Pressing—		
Men	0 11 9	0 9 6
Women	0 6 2	0 5 10

In the Punjab, rates are reported as eight annas a day for men and six annas a day for women. In the United Provinces, the Chief Inspector of Factories in evidence estimated the average wage of workers at five to six annas a day, but another estimate gives the wages of men at Rs. 15 a month and of women at Rs. 10 a month. In the Bombay Presidency rates apparently vary considerably. We have received particulars of the present rates for some districts and in these men's rates commonly lie between 6 and 12 annas a day and women's rates between 4 and 8 annas a day. The rates given above are for the rank and file. Those whose work is skilled or involves responsibility, such as fitters, engineers, engine-drivers, get much higher rates and are usually paid monthly.

Earnings in Mines.

Statistics of average earnings of workers in mines are obtained in a form prescribed by the regulations framed under the Indian Mines Act. The mineowners are required to give for the month of December the average daily earnings of their employees, separately for underground workers, those employed on open workings and on the surface. The average daily earnings are obtained by dividing the total amount paid in wages for work done in December by the aggregate daily attendance in that month. From the returns thus submitted, the Chief Inspector of Mines prepares a statement showing average earnings in the different fields which is incorporated in his annual report. We reproduce on the following page the average daily earnings for December 1929 for the more important mining areas shown in this statement.

Average daily earnings in rupees, annas and pies during the month of December 1929 in each important mineral field in British India.

Mineral field.	Underground.					Open workings.					Surface.		
	Miners.	Loaders.	Skilled labour.	Un-skilled labour.	Women.	Miners.	Loaders.	Skilled labour.	Un-skilled labour.	Women.	Skilled labour.	Un-skilled labour.	Women.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Jharia Coalfield (Bihar and Orissa) ..	0 13 6	0 11 0	0 12 9	0 9 9	0 8 6	0 13 9	0 11 6	0 10 3	0 10 0	0 9 0	0 13 3	0 8 9	0 6 9
Raniganj Coalfield (Bengal)	0 13 0	0 10 3	0 12 3	0 9 0	0 7 6	0 9 0	0 7 0	0 11 6	0 8 0	0 6 3	0 11 6	0 8 6	0 6 0
Giridih Coalfield (Bihar and Orissa) ..	0 12 9	0 12 0	0 14 3	0 8 0	0 7 0	0 11 9	0 6 3	0 9 0	0 8 0	0 6 0	0 14 0	0 8 0	0 5 9
Bihar and Orissa Mica	0 7 3	..	0 6 9	0 5 0	0 4 0	0 7 0	..	0 7 0	0 4 9	0 4 0	0 9 0	0 6 3	0 4 0
Bihar and Orissa Iron	..	..	..	..	..	0 10 3	..	0 13 6	0 7 9	0 5 9	1 4 0	0 6 9	0 5 0
Central Provinces Manganese	0 10 3	..	1 0 6	0 7 0	..	0 8 9	..	0 14 3	0 7 9	0 5 3	1 0 9	0 8 0	0 4 9
Burma Lead	1 12 0	..	2 11 9	1 5 6	..	..	..	..	1 0 0	..	3 13 0	1 5 3	..
Burma Tin	1 9 0	..	1 4 6	1 8 0	1 1 0	1 6 3	..	1 11 6	1 5 0	0 13 6	2 9 6	1 3 0	0 15 3
Punjab Salt	1 6 3	..	1 1 3	1 10 9	0 9 9	3 2 0	..	..	..	..	1 1 3	0 13 3	..

The figures must be accepted with some reserve as the returns submitted by the mineowners are not subjected to an official check at the source, and their accuracy depends entirely on the proper determination of the aggregate daily attendance during the month for which they are prepared. This is not always an easy matter, as payment is made by the tub and in some cases the worker receives assistance from members of his family and also from others who share in the joint earnings. Payment in all coal mines for coal cutters and other underground workers is by the tub. The average rate per tub of coal raised in the leading coalfields is about seven annas, but in most cases this includes the payment for the loader who fills the coal into tubs. The average number of tubs raised by a worker in a day is between two and three. The average monthly earnings of the worker cannot, however, be calculated from the average daily earnings as shown in the statement given, for attendance is extremely irregular. At our request the Government of Bihar and Orissa have prepared a series of family budgets from the Jharia field. These and the evidence that we collected suggest that the average monthly earnings of a coal cutter are in the neighbourhood of Rs. 10 to Rs. 15. This has some support in the evidence given regarding the average attendance of the miner. The other mines of importance are the lead and tin mines in Burma, the salt mines in the Punjab, the manganese mines in the Central Provinces and the mica and iron mines in Bihar and Orissa. As will appear from the statement which we have reproduced, the average daily earnings are appreciably higher in Burma than in any other part of India. The original statement contains a foot-note to the effect that in the Punjab salt mines the earnings recorded are below the average level, as the output of salt is severely restricted in the month of December without reducing the labour force. The fact that a system of gang payment is in force makes it difficult to give reliable figures of individual earnings. Further information furnished to us by the Chief Inspector of Mines indicates that, in the numerous stone quarries, the daily wage varies from 5 annas to 8 annas for men and 4 annas to 5 annas for women.

Earnings of Dock Labourers.

Reference has already been made to the casual nature of employment in docks and the payment of wages through foremen, *maistries*, *tindals*, or *mukkadams*. The daily earnings are highest in Rangoon. As a result of the recent strike, the daily rate was raised from Rs. 1-8-0 to Rs. 1-12-0, but this increase was accompanied by a reduction in employment among Indian dock labourers who, till then, were exclusively employed in loading and unloading ships. Most of them now find it impossible to secure employment for more than half the number of days in the month. We deal elsewhere with this and other features of the employment of Indian labour in Rangoon. In Bombay the daily wages of a dock labourer are said to vary from As. 14 to Rs. 1-8-0, while in Karachi we were informed by a firm of stevedores that the rate was Rs. 1-2-0 for men and As. 13 for women. Here the

large volume of unemployment probably results in a low scale of monthly earnings, but in Bombay, according to an estimate made by the Port Trust, the average monthly earnings, including payment for overtime, of a dock labourer in the employ of the Trust is about Rs. 32. This, however, must not be taken as covering the majority of the men employed in the docks. In Calcutta the average monthly earnings of stevedore labour are estimated to be about Rs. 20.

Unskilled Labourers.

The lowest paid industrial workers are the labourers engaged on manual work which does not require any substantial degree of intelligence or skill. These fall roughly into two classes. There are a number of labourers regularly employed on manual work in factories and other industrial establishments. In the majority of provinces few men in this class are able to earn more than Rs. 15 a month regularly; the majority earn less and earnings are sometimes as low as Rs. 10. In the Punjab and Delhi the average would seem to be above Rs. 15, while in the Bombay Presidency and Burma it is nearer Rs. 20 and Rs. 25 respectively. The other class consists of the large volume of unskilled labour engaged in various miscellaneous occupations on daily rates finding employment in industry either casually or for limited spells. The wages paid to this class of worker are influenced to a large extent by the prevailing rates of wages for agricultural labour in the neighbourhood and these vary from province to province and even from district to district. While it can be stated with some confidence that this class of worker earns appreciably more than the agricultural labourer, his earnings are usually low. In centres of Burma and the Bombay Presidency the prevailing rate for men seems to be above 12 annas while in Delhi and the Punjab it is below that figure. In Bengal, Bihar and Orissa and parts of the Central Provinces, the daily rates are roughly 8 annas for men, 6 annas for women and 4 annas for children, but in Madras, the United Provinces and some parts of the Central Provinces the rates are lower and in some areas of these provinces are as low as 5 annas a day for men.

Wage Levels in Different Provinces.

Some light is thrown on the variations between different provinces by certain statistics relating to cases under the Workmen's Compensation Act. These are prepared by provincial Governments and show the number of persons in each wage class to whom compensation was awarded in cases coming before Commissioners. They relate largely to fatal and serious accidents. The wage classes are arranged as in the schedule of assumed wages given in the Act, and these are determined by the average earnings of the worker prior to the accident. The statistics we give below relate to the five years 1925, 1926, 1927, 1928 and 1929, which constitute a period during which wage levels generally were fairly steady. The figures, however, must be accepted with some caution. In the first place, it cannot be assumed

that the workers whose cases have been combined to furnish the statistics and who constitute a very small proportion of the industrial workers generally, constitute an entirely representative section. The most highly-paid industrial employees, who are engaged mainly in supervision, run less risk of accidents than others. At the other end of the scale, the unskilled worker runs less risk of a serious accident than the semi-skilled worker who is dealing with machine processes. Secondly, the Act, as we shall show later, is only gradually becoming known to the general mass of the workers, and it is probable that claims have been less frequent from the lower-paid workers and their dependants than from those who are in receipt of higher wages. But, in the main, these factors are common to all provinces. The Madras levels are somewhat higher than we would have expected, but otherwise the comparison between the major provinces afforded by the table is very closely related to that indicated by other evidence. Assam is omitted as the numbers are too small to yield any results of value. Wages are lowest in Madras, the Central Provinces and the United Provinces; the provinces to the east of this group, namely, Bengal and Bihar and Orissa, have a higher level, and so have those to the west, namely, the Punjab and Bombay. Bombay comes first of the Indian provinces, while Burma has a still higher level. For the reasons we have given, the table is much less reliable as a picture of wage-levels, but we consider that it gives a general impression of these levels for the semi-skilled operatives in organised industry. In this connection it should be remembered that, while children are excluded from the figures, they include both men and women and the workers on the lowest wages are, for the most part, women.

Province.	Percentage of cases earning monthly wages of						Total number of cases (1925-1929).
	less than Rs. 13.	not less than Rs. 13 but less than Rs. 17/8.	not less than Rs. 17/8 but less than Rs. 22/8.	not less than Rs. 22/8 but less than Rs. 27/8.	not less than Rs. 27/8 but less than Rs. 32/8.	not less than Rs. 32/8.	
United Provinces	26	27	15	9	7	16	304
Madras	22	25	19	15	4	15	110
Central Provinces	18	38	17	8	4	15	209
Bihar and Orissa	21	24	21	12	8	14	717
Bengal	13	18	18	15	10	26	873
Punjab	10	16	36	10	7	21	324
Bombay	3	10	19	23	13	32	1,273
Burma	1	3	10	16	27	43	186

III.

Family Income.

Hitherto we have been referring to the earnings of individuals, but in respect of both income and expenditure it is the family and not the individual that is important in relation to the standard of living.

Unfortunately reliable figures of family earnings are more scarce than those of individuals. A family budget enquiry at Bombay, which covered well over 2,000 families, gave the average monthly income per family at Rs. 52/4/6, but this was made in 1921 when prices and incomes were both higher than in recent years. Family budget enquiries in Ahmedabad and Sholapur, each embracing about 900 families, gave the following results :—

Families earning.	Ahmedabad (1926).		Sholapur (1925).	
	Percentages.	Average number of workers in family.	Percentages.	Average number of workers in family.
Below Rs. 20	2	1·2	8	1·0
Rs. 20 and below Rs. 30 ..	17	1·2	23	1·6
Rs. 30 and below Rs. 40 ..	21	1·5	26	1·9
Rs. 40 and below Rs. 50 ..	25	1·6	21	2·0
Rs. 50 and below Rs. 60 ..	18	1·9	11	2·4
Rs. 60 and below Rs. 70 ..	8	2·0	5	3·0
Rs. 70 and below Rs. 80 ..	5	2·4	3	2·7
Rs. 80 and below Rs. 90 ..	4	2·2	3	3·3

The budgets in Ahmedabad related mainly to cotton mill workers, and in Sholapur the enquiry was entirely restricted to such workers. Elsewhere figures of equal value are not available, and we are able to give only approximate estimates. In Nagpur the results of two separate enquiries indicate that the average family income is in the neighbourhood of Rs. 30. The standard is almost certainly higher in Berar and lower in other parts of the Central Provinces. In the United Provinces investigations made for us in Cawnpore, Lucknow and Gorakhpur each show that the great majority of families receive not more than Rs. 30 a month. The level is probably higher in Cawnpore than in other centres, but even here we doubt if, among the rank and file of industrial workers, the average family earnings exceed Rs. 25 per month. Except in the coalfields, the family earnings of workers in organised industry in Bengal and Bihar and Orissa probably exceed Rs. 30 on the average and in the more important centres in the Punjab are distinctly over Rs. 35. Although wages of individuals in this province are comparable with those in Bombay, family earnings are almost certainly lower on account of the much smaller employment of women. So far as unskilled workers are concerned, we believe that, broadly speaking, they cannot maintain families of average size on their income unless there is more than one wage-earner in the family. With most of the other workers the degree of comfort is dependent on the number who bring in money to the home. Marriage at a comparatively young age is almost universal, and the claims of children begin at an early stage in the average worker's industrial life. It is quite impossible for us to attempt a statement of the composition of the workers' families, and this is essential for any accurate measurement of the standard of comfort.

Expenditure.

Some indication of the standard should be obtainable by a different approach, namely from that of the relative expenditure on various items and particularly necessities. Here again the material is very defective. In a number of the enquiries that have been made, workers whose families were away in the villages have been grouped with workers whose families were with them in the towns, and few enquiries have given particulars of the absent dependents and of the remittances to them. There are, however, two investigations which are valuable in this connection, namely those made into family budgets in Sholapur and Ahmedabad by the Bombay Labour Office in 1925 and 1926. These relate to groups of families whose absent dependents formed a negligible fraction of the whole. In the Sholapur enquiry, the average number in the family was 4·68 persons and of this ·11 persons were absent dependents, while 4·57 persons lived in the family. In the Ahmedabad enquiry, the corresponding figures are 4·00, ·13 and 3·87. We append particulars of the expenditure on different items.

Items.	Sholapur.		Ahmedabad.	
	Average monthly expenditure.	Percentage to total.	Average monthly expenditure.	Percentage to total.
Food—	Rs. A. P.		Rs. A. P.	
Cereals	9 7 6	25·00	11 11 11	29·84
Pulses	1 5 2	3·50	1 7 6	3·73
Sugar and sweetmeats	1 1 0	2·80	0 15 7	2·47
Meat	1 10 1	4·31	0 14 1	2·24
Milk and *ghi*	1 4 8	3·41	3 6 1	8·59
Vegetables and fruit	0 15 2	2·50	1 11 1	4·30
Oils	1 0 1	2·65	0 11 10	1·88
Salt	0 3 8	0·61	0 1 7	0·25
Condiments	1 4 9	3·43	0 11 9	1·87
Tea	0 0 11	0·15	0 2 4	0·37
Other Food items	0 5 5	0·89	0 14 10	2·36
Total Food	18 10 5	49·25	22 12 7	57·90
Fuel and lighting	3 10 2	9·60	2 12 4	7·04
Clothing	4 7 10	11·86	3 11 6	9·45
Bedding and household necessities	0 6 1	1·00	0 7 4	1·16
House rent	2 6 0	6·27	4 9 11	11·74
Hair-cutting, washerman and soap	0 12 10	2·12	0 15 9	2·50
Tobacco	0 9 8	1·60	1 2 9	2·97
Liquor	0 13 9	2·27	0 8 9	1·39
Travelling to and from native place	0 10 6	1·73	0 9 5	1·50
Interest on debts	2 8 4	6·65	..	..
Miscellaneous	2 14 4	7·65	1 11 4	4·35
Total	37 13 11	100·00	39 5 8	100·00

Unfortunately, the statistics are not exactly comparable, for in Ahmedabad, where the workers are stated to be heavily indebted,

the interest on debts is excluded and in Sholapur it is stated that the information is only approximately correct. In the reports of both enquiries it is stated that families either did not remember or did not like to disclose what they spent on liquor. There is reported to be less consumption of liquor by the workers in Sholapur than by those in Ahmedabad, although the amount shown in the budgets is greater. Both these examples are taken from the Bombay Presidency, where wages are on the whole higher than in other provinces except Burma. One enquiry related entirely to cotton mill workers and the other mainly to this class, which is better paid than most industrial workers. The statistics, therefore, refer to groups of workers who are by comparison favourably situated, and to our mind the striking feature of the budgets is the large proportion expended on the primary necessities of life. It will be observed that, if the debt charges are excluded, food, fuel and lighting, clothing and house rent account for over 82% of the total expenditure in Sholapur and for 85% in Ahmedabad. In addition to these primary needs there are other necessities to be met. Even the poorest worker must incur some expenditure on washing and nearly all must spend something on the barber. Some household utensils are a necessity and, in referring to rent, furniture is not included. As a matter of fact, furniture is at a minimum in the workers' houses; even a bed is not always possible. In addition there is the bigger occasional expenditure which sickness entails; and the events of life, births, marriages and deaths, involve an outlay which is unavoidable, apart from the compulsion exercised by custom or religion. Finally, most industrial workers have to spend something on travelling to and from their villages. The percentages given in this respect for Sholapur and Ahmedabad are probably smaller than the average, as both cities recruit largely from the surrounding areas, and the number of workers permanently resident is larger than elsewhere. On the margin that remains after all these necessities have been met, there is one charge of great importance, the obligations arising from indebtedness—a subject which is reserved for further treatment in another chapter. The remainder, if any, can be devoted to the few pleasures that are open to the illiterate.

The Outlook.

These facts are best left to speak for themselves, and it is unnecessary to emphasise the general poverty they disclose. Some observers prefer to dwell on the mitigations of the situation, on a comparison of the worker's existing privations with the hardships which forced him into industrial life, on his scanty knowledge of better things, on the endurance and courage which enable him to tolerate his present condition and, indeed, to extract some pleasure from it, and even on his general inertia and lack of desire for improvement. These also are facts and must be faced, but it is mainly ignorance of his own relative position and lack of belief in the possibility of bettering it which are responsible for his apathy. We rejoice at the evident signs of the awakening of the general conscience which greater knowledge

and the ferment of thought in India are combining to produce, and the progress already visible should hearten all those who believe in the possibility of advance. It is on the growth of the will to progress in the community generally, in those responsible for government and for the control of industry, and in the workers themselves that the hope of the future lies.

IV.

Efficiency and Quality.

In entering on the discussion of possible methods of raising the standard of living, we are faced by two main facts, poverty and the low level of efficiency. So far as efficiency is concerned, comparisons are available of the number of workers required in India and in other countries, Western and Eastern, to produce certain quantities of material in a given time, and some of these will be found in the evidence. We do not quote them here, because, apart from their limited scope, it is impossible to say that such quantitative measurements have taken account of all the other factors involved, such as differences in machinery, organisation, etc. But it must be admitted that the Indian industrial worker produces less per unit than the worker in any other country claiming to rank as a leading industrial nation. The causes of this low efficiency are complex. Some are to be found in the climate of India and other factors; but a powerful influence is exercised everywhere by the low standard of living. Inefficiency is attributable to lack of both physical energy and mental vigour. These are to a large extent different aspects of the same defect, for physical weakness cuts at the root of ambition, initiative and desire. This weakness arises from the hardships to which the worker, who starts with an indifferent physique, is subjected and especially his unsatisfactory diet and the conditions under which he is generally compelled to live. These hardships and conditions are mainly the result of inability to afford anything better, and this in its turn arises from low efficiency. Thus poverty leads to bad conditions, bad conditions to inefficiency and inefficiency to poverty. We believe in attempting to break the vicious circle at as many points as possible. There must be an endeavour to enhance efficiency, to heighten earnings and to improve the conditions of life. We have endeavoured throughout to keep in view the question of raising the efficiency of the worker. The recommendations relating to working conditions in all the industries discussed have been designed in the belief that they will lead to a permanent increase in the general level of efficiency of the Indian worker, and this part of the ground need not be covered again. We must observe, however, that, in looking to increased efficiency as the main source of a higher standard of living, we have in view more than an increase in the efficiency of the worker. The range of efficiency on the part of employers in India is very wide. There are enterprises that will stand comparison with any outside India; there are others whose inefficiency is obvious even to the casual observer. We are

anxious not to enter on a field which lies outside our proper functions; but we have been struck by the contrasts presented in industrial and commercial organisation. We also found many employers unaware of the successful experiments of others in the labour field. Indeed, many of our recommendations are no more than the advocacy on a general scale of those ideas of individual employers which have proved successful in application.

V.

Conception of Fixed Standard.

We turn now to the most direct method of raising the standard of living, namely, the raising of the earnings of the worker. It is necessary here to deal with a preliminary objection which was put before us on more than one occasion and has even found its way into official reports. It is urged, and apparently believed by not a few employers, that the worker has a fixed standard at which he aims, and that, when he has earned enough to maintain that standard, he ceases to make any further effort. This view is frequently coupled with the belief that the worker has already attained the standard he desires. If this were true, an increase in wage rates would do more harm than good, for it would diminish production without benefiting the worker financially. On this view, it is only by getting the worker to spend his money more wisely that any advance is possible. In dealing with a great and varied mass of workers, it is rash to say that such a doctrine is true in respect of none of them. Every nation can produce men who are satisfied with the barest needs and will make no further effort after these are supplied. It must also be admitted that ambition is not particularly vigorous with many Indian workers; we return to the causes of this later. But it is not difficult to show that the doctrine is not true of the great bulk of Indian industrial labour, for it is contradicted by the facts. If it were true, it would be impossible to raise the workers' standard of living except by coercion; yet there is no doubt that it has in fact risen appreciably in recent years. Reference has been made to the lack of cost of living index numbers, but there is ample evidence to show that the level of real wages, particularly in the more organised industries, is now appreciably higher than it was ten years ago. Few, even of those who hold the belief mentioned, would deny this. The evidence of unprejudiced observers regarding improvement in the general standard of living and the increase in the level of real wages show that the workers' earnings have risen, *i.e.*, that the idea of any general fixed standard is fallacious. What is both true and largely responsible for this mistaken judgment is that a sudden accretion of income is seldom wisely spent; the worker cannot raise his standard of living overnight. Further, as the standard of comfort is improved, there is an intelligible and reasonable tendency to secure some increase in leisure at the expense of part of the possible increase in income. We can appreciate the preference of the worker for some remission of toil.

Raising Wages.

In our view, therefore, employers need not be deterred from raising wages by any fear that they will be injuring the workers thereby. Indeed, there have been times in most industries when valuable results could have been secured by a more liberal policy in respect of wages. Many workers are employed on low wage standards, and it is still too generally assumed that poorly-paid labour is cheap. Many who are aware that this is not the case are reluctant to act on their own belief that better-paid labour will prove cheaper. As some employers have shown, better results from the business point of view can frequently be obtained by the payment of better wages, and it is impossible to expect any high standard of efficiency on the wages now paid in many branches of industry. Nor is it reasonable invariably to demand that the increase of efficiency should be a condition precedent to improved wages. In many cases, if employers were to offer better payment first, they would be able to secure improved efficiency by the attraction of a better class of worker and by the increased effort of many of the present ones.

Profit Sharing.

We do not desire to imply that, with his existing standard of efficiency, the worker has always obtained in the past a fair share of the results of industrial enterprise or that he always does so now ; but so long as his organisation is as weak as it is to-day, there will remain a danger of his failing to secure a just share of the results of industry. Suggestions have been made from time to time that the difficulty might be met by the general adoption of profit sharing schemes, but this movement has made practically no progress in India and, in the present stage of industrial development, such schemes are unlikely to prove either useful or effective. Efficiency or production bonuses, however, are in a different category. These are in operation in several establishments and are a direct incentive to increased effort. There is scope for considerable extension of these methods of payment in industry.

Regularity of Employment.

We have been discussing methods of increasing earnings which involve the raising of the wages bill, but it is important to observe that in many cases the level of earnings of industrial workers as a class can be substantially raised without ext. a cost to the employer. There is a wide-spread tendency to look too exclusively at what the employer is required to pay for work, *i.e.*, at wages, and too little at what the worker gets for it, *i.e.*, at earnings. Even when wage rates cannot be raised, it is often possible to raise the standard of living by increasing earnings. The most obvious method is to increase the regularity of employment. In many branches of Indian industry, poverty is aggravated by the retention of far more workers than are required. One of the worst examples is shipping. The coalfields provide another striking instance, and in the factories cases are numerous where excessive turnover results in swelling the number of employees among whom the work has to be divided. In previous

chapters we have made recommendations designed to improve matters in this respect in various branches of industry. But we would again press the importance of substituting, as far as possible, the regular for the irregular worker, and employers can do much in this direction. It may be urged that, if wage rates are not raised, the only effect is to enrich some workers whilst preventing others from entering industrial employment, with no resultant benefit. This, however, is a short-sighted view. Even if the surplus workers that the factories now attract to the city could find nothing to do in their villages, they would still be better there, where they are in healthier surroundings and can be supported at less expense. It has always to be remembered that the villages offer at least sporadic work to all. The reduction of the numbers in the industrial centres would ease the problems of housing, sanitation, medical attention and health generally. Finally, there is the increased efficiency which the regular and better-paid workers would attain with benefit to themselves, to their employers and to the nation.

VI.

Industry and the Community.

Before turning to another direct method of raising the standard of living frequently suggested by witnesses—namely, the application of minimum wages, we must refer to an aspect of the position which is often overlooked, both in this and in other connections. Indian industry is not a world in itself ; it is an element, and by no means the most important element, in the economic life of the community. Care must be taken, therefore, to ensure that, in adopting measures for the betterment of industry or of industrial workers, the interests of the community as a whole are not overlooked. It is obviously possible to raise the standard of living of sections of industrial workers by methods which would involve the diminution of the national income that is available for other sections of the community. On the other hand, the prosperity of the industrial worker can be advanced in such a manner as to enrich rather than to impoverish the rest of the community. It is to these methods that attention must be confined.

The Minimum Wage Convention.

We received a considerable volume of evidence in the course of our tour on the practicability of instituting statutory minimum wages, and it became increasingly clear that, whereas the idea was now generally current among those concerned with or interested in industry, its implications were very variously interpreted and by no means generally understood. The majority of witnesses in favour of the principle appeared to desire the arbitrary fixing of wages for industrial workers at a level sufficient to provide what appeared to them a reasonable standard of living, apparently without regard to the comparative prosperity of industry or the ultimate effect on the economic structure of India as a whole. The opposition to a minimum wage suggested that it was precisely this view of the question which was uppermost in the minds of those who led it. A few witnesses had evidently devoted deeper thought to the theory of the subject, but their discussion was largely academic, and they were for the

most part without any certainty as to the method and extent of its application. Interest in this subject in India has received a considerable stimulus from the Draft Convention on the subject adopted by the International Labour Conference in 1928. The Convention contemplates the creation of such machinery only in the case of "trades or parts of trades (and in particular in home working trades) in which no arrangements exist for the effective regulation of wages by collective agreement or otherwise and wages are exceptionally low". The question as to the nature and form of the machinery and the trades to which it is to be applied are left entirely to the discretion of the States concerned. After canvassing opinions, the Government of India came to the conclusion that they could neither enter into any commitment nor give any indication of possible ratification until a thorough enquiry had been held into the practicability of establishing wage boards in India. Both chambers of the Central Legislature agreed that the Convention should not be ratified, the Legislative Assembly adding the rider "pending the report of the Indian Labour Commission".

Possible Application of Minimum Wages.

We have throughout approached the consideration of questions from the point of view of the needs of India rather than of the applicability of international Conventions; and we deal elsewhere with the question of wage-fixing machinery in the Assam plantations, a case which we do not regard as coming within the scope of the Convention. We have also recommended the guaranteed payment of a standard minimum output in the case of underground workers in coal mines. This, however, is not equivalent to a minimum wage, as it is not proposed that the rate of payment for the task should be regulated. In our view the Convention, in referring to trades in which wages are "exceptionally low", must be regarded as having in view trades in which wages are low, not by comparison with Western or other foreign standards, but by comparison with the general trend of wages and wage levels in kindred occupations in the country concerned. It must always be remembered that in India organised industry cannot be regarded as lowering the standard of living of those it absorbs, the majority of whom left the field for the factory to secure an alleviation of their hardships. It appears to us that, in order to conform to both the letter and the spirit of the Convention, it would first be necessary to create machinery for fixing minimum rates of wages in those trades in which wages are lowest and where there is no question of collective bargaining.

Preliminary Enquiries.

In view of the absence in India of reliable information on wage rates and earnings in individual industries, to which reference has already been made, it would be unwise to attempt legislation on the lines of the Convention before obtaining a fairly clear indication of the trades to which the machinery should properly be applied in the first instance. It will be recognised by those familiar with the subject that it was impossible for us, in the time at our disposal and with such wide terms of reference, to survey the trades or to say definitely in the case of

particular trades whether or not minimum wages should be fixed. The decision here must depend on a careful preliminary survey of the ground. In the first instance, it is necessary to select the industries in which there is a strong presumption that the conditions warrant detailed investigation. It is then necessary in each such industry to undertake a survey with a view to collecting accurate information as to the precise conditions prevailing. Such information is, of course, more readily obtained where at least the employers are organised to a greater or less extent, and where it is possible to send out a prescribed form to a certain percentage of them and subsequently to make a sample check of the information supplied by means of personal visit and enquiry. In India, however, it is well known that, in the bulk of the trades likely to be selected for consideration, only the loosest organisation exists among the employers and none whatever among the workers. Moreover, lack of education and language difficulties would make the accurate filling in of forms and their subsequent return in sufficient numbers highly problematical. Such preliminary investigation, if reliance is to be placed on it, should be undertaken by means of personal visits by trained investigators, as in the case of budget enquiries. This would require to be planned and supervised by an official experienced in collecting and collating statistical information. The essential material to be collected during the preliminary enquiry is that bearing on the organisation of the trade and the wage rates. In the first category come such questions as the distribution of the trade, the extent to which it is carried on under factory or workshop conditions or as a home-work industry, the scale of the different establishments, the extent of co-ordination or combination among both employers and workers, and the extent of employment of men, women and children respectively. So far as wage rates are concerned, it is desirable to have as full information as possible regarding both the methods of remuneration and the actual rates, including the variations in the latter from centre to centre and from establishment to establishment. When this information is available, it should be possible to say, not merely whether the fixing of minimum wages is desirable, but also whether it is practicable, and thereafter to demarcate the trade, and to decide on the composition and number of the minimum wage boards. These are not necessarily simple matters; in particular the demarcation of a trade may involve careful and prolonged examination. The extent of the dependence of the trade on foreign markets and of the competition it has to face from outside in the home markets are matters which must be given full weight when wages are fixed; and it is advisable, during the preliminary inquiry, to collect as much as possible of the information on this and on other subjects that the Boards, if appointed, are likely to need.

Problem of Enforcement.

When a decision has been reached as to whether the conditions in any case are such as to justify the setting up of minimum wage machinery, particular attention must be given, in the special circumstances of India, to the cost of enforcing the wage decrees. We here refer to

matters such as the slow growth of the spirit of compliance with the industrial law among the smaller and less well organised employers, the ignorance and illiteracy of the workers, the possibility of collusion and the large areas to be covered in the case of scattered industries—all of which tend to make a high annual percentage of inspection essential if enforcement is to be effective. It is likely that there are many trades in which a minimum wage may be desirable but not immediately practicable. Here, as in other instances cited, the policy of gradualness should not be lost sight of, if the desired end is to be achieved without disaster.

Industries Requiring Investigation.

At the present moment, there is, so far as we are aware, no trade of the type to which the Convention refers in which sufficient preliminary work has already been done to justify our recommending the immediate establishment of minimum wage fixing machinery, with a view to raising the earning capacity of a group of workers whose standard of living is depressed below that of their fellows. We believe, however, both from personal observation and from evidence submitted to us, that in certain industries there is a *prima facie* case for a preliminary investigation of the type we have outlined, such as is undertaken in Great Britain by the Ministry of Labour before setting up a trade board. In indicating the trades to which examination should be directed in the first instance, we are hampered by the fact that the home-working trades, to which the Convention particularly refers, except where also carried on in factories or workshops, as in the case of *bidi* making and mica cutting and splitting, have not come within our purview. We recommend, however, that, of the industries which came within our terms of reference, those referred to in the chapter dealing with unregulated factories be examined in the first instance with a view to the need and possibility of instituting minimum wage fixing machinery. We have reason to believe that *bidi* making is in some places a "sweated" industry, employing *purdah* women and girls in their homes as well as young boys in numbers of small workshops. Work in tanneries is undertaken almost entirely by the depressed classes, and there are many small establishments paying very low wages which are competing with the better organised factories paying higher wages. In mica factories and other industries not using power, which employ large numbers of children, there appears a possibility of using the minimum wage to prevent the exploitation of juvenile labour and the consequent undercutting of adult wages. If the results of investigation show the need for minimum wage fixing machinery in industries of this kind, we recommend that the necessary legislation for setting up such machinery should be undertaken, and that Government should then ratify the Convention, if they are in a position to do so.

VII.

Standardisation of Wage Rates.

Reference has already been made to the striking disparity in the wage rates operating in an industry situated in the same locality, as indicated by the Bombay Wage Census. In India in some industries there are

already varying degrees of organisation among the workers and this may be expected to increase. So far as the workers employed in some of the leading industries are concerned, the main need would appear to be the adoption of common standards of payment for similar classes of work. We are satisfied that a larger measure of uniformity can be achieved in certain industries without prejudice to their economic position and, at the same time, a higher wage level can be secured to some of the lowest paid classes.

Position in Cotton Mills.

This is a matter which has already received some examination in the cotton textile industry. The question was considered by the Bombay Industrial Disputes Committee in 1922 and again by the Textile Tariff Board in 1927. The Industrial Disputes Committee declared that " employers' associations have not evolved a standard scale of wages, and individual employers are usually ignorant of how their rates compare with the wages given by others " and that " the new uncorrelated raising of wages is almost invariably seized upon as a grievance in other factories of the same class." Later the Textile Tariff Board recommended to the Millowners' Association the adoption of a system of standardised wages for the same classes of work as between mill and mill. The Association responded to this suggestion and in 1928 evolved a standardisation scheme which was subsequently examined in detail by the Bombay Strike Enquiry Committee of 1928-29. The Association proposed to introduce their scheme in the autumn of 1929, but no further developments along these lines have so far taken place. We are aware of the difficulties in the way of the inauguration of a system of standardised wages at the present time. Nevertheless we urge that every effort be made to put this policy into operation at the earliest possible moment.

Position in Jute Industry.

The jute industry has been more fortunate than the cotton industry as regards the prevalence of industrial unrest and the repercussion of political factors upon stability. As a result, it has escaped the series of investigations by statutory and other bodies to which its sister industry has been subjected in the last few years. This may in part account for the fact that, although the jute industry, on account of fewer variations in the classes of goods manufactured and the degree of comfort in the factory, is a far easier field for an attempt at standardisation than the cotton industry, no serious consideration has hitherto been given to the matter. The Indian Jute Mills Association declared the existing variations in wages to depend upon the differences in cost of living in different jute manufacturing areas. The evidence of the Bengal Government, however, states " Perhaps in no industry in the world, situated in such a circumscribed area, is the wage position more inchoate. The mills, grouped under different managing agents, work under wage systems which have developed many local idiosyncrasies during the long or short years of their existence. Even

in mills under the same managing agents, there are differences which, to persons not acquainted with the position, seem incredible. For example, in two mills situated in the same area and separated from each other by little more than a boundary wall, under the same managing agents, there is practically not a single entry of wages which is the same. In three mills under the same managing agents, situated within a stone's throw of each other, the rates in one mill have for many years been higher than those in the other two mills. In other groups of mills, situated close to each other and under different managing agents, the wage rates in individual mills are kept, or are supposed to be kept, strictly secret. The total earnings are not necessarily kept secret, but each prides itself on having been able to declare piece-rates or bonus-rates which are better than the rates of the neighbouring mills."

Need of Standardisation in Jute Mills.

The Kankinarrah Labour Union, on the other hand, urged that "the wages for time work should be reduced to a rate per hour, and rates for piece work should be so revised in all the mills in the different districts that no weaver should ever grumble that he is paid so much less than a fellow worker in another mill for an identical piece of work." Indirectly, the absence of standardisation played no small part in the series of strikes which for some time threatened to paralyse a considerable section of the industry in 1929, as independent action taken by individual members of the Indian Jute Mills Association, without consulting other members, jeopardised the successful application of the terms of a strike settlement. With the growing consciousness of the workers, the degree of differentiation existing in wage rates for identical processes in this industry may cause trouble. The different costs of living in areas as closely related as are those in the jute manufacturing districts of the Hooghly area and of Calcutta should not preclude the possibility of standardisation. The same difficulty has been surmounted by zone agreements and by other means in a number of countries and industries, and in India itself in the case of certain railway employees, and often under conditions more complicated than those existing to-day in the jute manufacturing districts of Bengal. We therefore recommend that the industry, which has all the advantages of a high degree of internal organisation on the employers' side, take early steps to investigate the possibility of standardisation of wage rates, both for time and piece workers, associating with it representatives of *bona fide* trade unions.

VIII.

Deductions from Wages.

Before leaving the discussion of factors affecting the worker's income, it is convenient to deal with the deductions made from his wages. In 1926 the Government raised the question of the desirability of legislation regulating the extent to which fines and other deductions from wages might be made by employers. As a result enquiries were instituted and a considerable mass of information on the subject was

collected, especially in Bombay by the Labour Office. With the exception of Bombay, provincial Governments appear to have agreed that there was no need for legislation. We have had at our disposal the results of the enquiries made at that time and received a considerable amount of further evidence bearing on the subject. It appears that fining is a fairly general practice in perennial factories and on railways. It is much less common in mines and other forms of industrial activity and is practically unknown on plantations. So far as factories are concerned, the practice appears to be most prevalent in cotton textile mills, and for this reason it probably attains greater dimensions in the Bombay Presidency than elsewhere. The aggregate loss of wages by fines is nowhere large, and in all but a few centres it is extremely small. When the Bombay Labour Office made its enquiries in 1926, it found that in the Ahmedabad textile mills which furnished returns the workers lost in fines no less than one per cent of the total wages bill. But this is altogether exceptional, as, we hope, is the practice also found in Ahmedabad of permitting the individual who inflicts the fine to benefit by it. The average loss per worker, however, is little indication of the hardship involved in fines, and this can be serious in individual cases. It has to be remembered that numerous deductions of other kinds are also made by some employers. For example, medical attendance, education, reading rooms, interest on advances of their own wages, charities, religious purposes selected by the employer and various other benefits or causes are made the ground of compulsory deductions. A common practice in the cotton textile mills is the handing over to the weaver of cloth from his own loom spoilt in the course of manufacture and the deduction from his wages of the wholesale selling price. Another practice followed in some mills is the deduction of two days' pay for one day's absence.

Need for Legislation.

Deductions from wages fall roughly into three classes, namely, fines which are imposed for disciplinary reasons, deductions on account of damage sustained by the employer and deductions for the use of material and tools and for other benefits provided by the employer. In all three cases we consider that there are strong grounds for legislative regulation. In the first place, the worker is utterly helpless in the matter. The employer, or more commonly his subordinate, determines when a deduction should be made and fixes its amount which is recovered from the wages due to the worker. Similar practices in other countries have led in a number of cases to statutory regulation. Moreover in many of these countries organisation on the part of the workers gives some security against excessive and inexcusable deductions. In India both forms of protection are generally lacking. Further, the fact that in many cases the workers' wages suffice for little more than the purchase of the primary necessities of life makes even a small deduction a definite hardship, while the larger deductions may increase their indebtedness and even cripple their resources for some time. Even when actual hardship is not

caused, fines have an irritating effect on the worker and create a sense of injustice. In the case of the other compulsory deductions, the worker usually pays for something definite; but even here experience elsewhere shows that protection is necessary to ensure that the deductions are made for a legitimate purpose and that the worker secures in return commensurate benefits. The enquiries which were instituted in 1926 disclosed instances of deductions, such as compulsory contributions to charities selected by the employer, which appear to be wholly unjustified. Our conclusion, therefore, is that legislation is both necessary and desirable, and we proceed to consider separately the protection which the law should provide in regard to each of the three classes of deductions.

Possibility of Abolishing Fines.

Fines constitute the commonest form of deduction and the one which is most open to abuse, and there is some justification for the view that they should be made illegal. But the main purpose of fining, namely, the maintenance of efficiency and discipline, is legitimate, and if fines are abolished, other means must be employed for securing this end. It is admitted that the fine, and particularly the harsh fine, does, at a cost, achieve its purpose; thus an employer, who abolished the system of deducting two days' pay for one day's absence, was subsequently faced with increased absenteeism. It is necessary, therefore, to consider the possible alternatives. One large company informed us that it had practically eliminated fining, and we found on enquiry that the practice of suspension had taken its place. This was said to be less unpopular with the men as, unlike a fine, suspension does not enable the employer to obtain work for which he has not paid. It is probable, too, that, were suspension generally substituted for fining, punishments would be fewer and more carefully imposed. On the other hand, suspension involves loss for both worker and employer, for presumably the employer has to secure a less competent substitute or leave the work undone. Moreover, suspension would involve for the worker greater hardship than a system of fines. Another alternative has been adopted by some employers, namely, a system of marking, deducting marks for irregular attendance and other causes, and paying a bonus on the total marks obtained. This has the advantage of securing a definite irreducible wage to the worker and of minimising the possibility of arbitrary action, and its psychological effects are better in that it substitutes for punishments what appear to be rewards. We fear, however, that if fines were abolished the bonus system might easily be developed into something almost indistinguishable from a system of fines. Finally, there is the possibility of dismissal or of the threat of dismissal for repeated offences. The main argument always adduced in favour of fines is that the worker would rather be fined than dismissed. As a rule this is true, but the argument is not as strong as it looks, for employers would not dismiss all the men who are now fined. Even if inefficient or lazy men were dismissed more frequently than at present, the effect might be good, for there would be a

bigger premium on efficiency. But the wider resort to dismissal and to the threat of dismissal which would follow the abolition of fines might result in greater hardship and tend to aggravate the workers' sense of insecurity. It would also give rise to more resentment. While, therefore, we recognise the objections to fines and consider that employers should do their utmost to reduce them to a minimum, we do not recommend their abolition by law. In the case of children, however, on account of their helplessness, inexperience and low scale of wages, we recommend that fining should be prohibited. In the case of adult workers we recommend the regulation of fines, and proceed to show how this can be most effectively accomplished.

Regulation of Fines.

The object of regulation should be to prevent excessive and arbitrary fines. In our opinion, legislation should be based on four broad principles. In the first place, the payment of a fine should not be spread over too long a period, and we recommend that the maximum period should be one month from the date on which the fine was imposed. Secondly, we consider that fines should not constitute more than a fixed amount out of the worker's wage. As regards the limit, we observe that the draft standing order, prepared by the Bombay Millowners' Association and endorsed by the Fawcett Committee, fixed the limit at two per cent of a worker's monthly wages. We would prefer, however, a method of calculation which is more easily understood by the worker, and we recommend that the maximum amount deducted in fines should not in any month exceed half an anna in the rupee of the worker's earnings. The payment of wages by other periods than a month may necessitate special provisions, but the same limit should be imposed. The third principle is in regard to the disposal of fines. A number of employers accept no benefit from this source and apply the proceeds to welfare work in various forms. It is particularly important that the fine should in no case benefit the individual responsible for imposing it. We recommend that the sums received from fines should be credited to a purpose beneficial to the employees as a whole and approved by some recognised authority. In the fourth place, in order to give workers some security against arbitrary fines, employers should be required to specify the acts or omissions in respect of which a fine may be imposed. These should be embodied in notices posted where they can be easily seen by the workers, and fines inflicted for any act or omission which is not specified in the notice should be illegal.

Deductions for Damage or Loss.

Deductions on account of damage differ from fines in that the employer has sustained some definite loss which is attributed to the carelessness or negligence of the worker. Such deductions do not always represent the full value of the loss incurred and the main purpose, as in the case of fines, is the maintenance of discipline. The worker's grievance is that both the amount of the damage and the extent of his personal responsibility are left to the determination of the employer. In India the commonest types of deductions under this category are the debits made on

railways and the practice in the cotton textile mills, already mentioned, of handing over spoilt cloth. We have dealt with railway debits elsewhere. So far as spoilt cloth is concerned, where the wholesale price is deducted from the weaver's wages, there can be no undue profit to the employer. Further, it is a tenable position that the worker is entitled only to payment for satisfactory cloth and that he is liable to make good the damage done to the employer's material. While there is evidence to show that in some mills the practice is carried too far, there are no reliable figures to indicate the actual loss sustained by the weaver which obviously depends on the price which he can secure for the cloth. We recommend that the law should provide that the deduction should in no case exceed the wholesale price of the goods damaged. This, together with the registration of deductions proposed later, may be sufficient to prevent abuses, but the registers will in any case provide the material necessary to determine whether or not further regulation is required.

A Minority View.

Mr Cliff, Mr Joshi and Diwan Chaman Lall dissent from our general conclusion on the ground that if an employer is to exercise the power of making deductions from the wages of the worker, equity demands that he should not be the final arbiter, but that a right of appeal should lie with an impartial tribunal. They are opposed to employers being able to exercise such power. In many instances, the power to make deductions is distributed indiscriminately over a large body of subordinates occupying minor supervisory posts, who do not usually possess the judicial qualities necessary for the exercise of such power. An examination of the working of the system reveals that, in many cases, fining becomes a habit and is resorted to as the line of least resistance. The workers, owing to lack of combination and other causes, are unable to exercise any effective check against the abuses which unquestionably occur. Experience teaches that, where the practice has been discontinued or where it has never been resorted to, the discipline necessary to industry can be maintained and, in their opinion, leads to a better relationship between the employer and the worker. The interests not only of the worker but also of industry dictate that the practice of making deductions from the wages of workers, except the charges for services rendered to which reference is made in the following paragraph, should be prohibited, and they recommend accordingly.

Other Deductions.

Of the other deductions to which reference has been made, namely, those in respect of specific causes or benefits, some should be recognised as legitimate and others should be prohibited. The former are deductions made on account of definite services rendered by the employer and voluntarily accepted by the worker, and in this case the only restriction we suggest is that the deduction should not exceed the equivalent of the services rendered. Deductions may be allowed on account of the provision of housing accommodation and of tools or raw materials. In

other cases deductions should only be permissible after the general or special approval of the provincial Government or some authority (*e.g.*, the Chief Inspector of Factories) appointed by them. Approval may be given, for instance, to schemes for subscriptions to provident funds, contributions for medical facilities and for recoveries on account of co-operative stores and other activities which are in the interests of the workers.

Enforcement.

The enforcement of the legislation recommended will not be easy, for in a number of cases operatives will be willing to pay a heavy fine rather than be dismissed. But a start should be made by applying the law only to factories coming under the Factories Act and to railways. Here, too, the law might be applicable only to employees in receipt of less than Rs. 100 a month. Employers should be required to maintain registers of all deductions from wages, showing separately fines, deductions for damage to material and other deductions. The particulars to be entered in the registers and the form in which they are to be kept should be prescribed by provincial Governments. In the case of factories, the inspection staff would be responsible for seeing that the law was observed, and the annual reports of the Chief Inspector of Factories should contain a review of the position in regard to fines and other deductions. As regards railways, we consider that the registers should be scrutinised at intervals by the audit officer, but we feel confident that the vigilance of those directing the administration and of the trade unions will ordinarily be sufficient to secure compliance.

Proceedings for Contravention.

The imposition of a deduction not permissible by law should be punishable. But we recommend that the usual form of proceeding should not be a prosecution, but an application before specially empowered magistrates and other officers for the recovery of the wrongful payment and for compensation. Commissioners for Workmen's Compensation would be officers suitable for this purpose, but the procedure should be summary and not based on that of the civil courts. The authority to whom application was made would be able, after hearing the other party, to direct a refund of the fine or deduction together with compensation to the applicant. This should amount to not more than ten times the sum wrongfully deducted and these sums should be collected by the court along with any costs payable. It should be possible for application to be made by an inspector, by the workman aggrieved or by any person acting on his behalf. This last provision would enable trade unions to take up these cases as they now take up cases for workmen's compensation. A prosecution should be instituted only with the sanction of an inspector or an officer before whom a proceeding for contravention had been taken, and we contemplate that ordinarily such action would be necessary only in serious cases, *e.g.*, offences committed after previous contraventions or gross and deliberate exactions.

IX.

Consumption of Drink.

We now proceed to consider the possibility of making the worker's earnings more effective by diverting his expenditure into more profitable channels. Here it is necessary to guard against too easy an assumption that the worker's money can be better spent by some other person. But there are two items of expenditure in connection with which unprejudiced observers would agree that protection is required. By far the more important of these is the expenditure involved in the liquidation of and payment of interest on debt, and this raises questions of importance and difficulty which must be reserved for another chapter. The other item is the expenditure on drink. The consumption of drink, and particularly of spirituous liquors, may be said to be a feature of the majority of industrial areas and has created considerable havoc in some of them. It is not possible to give accurate figures of expenditure under this head, because the worker who drinks is in many cases naturally reluctant to give information regarding his consumption or even to admit that he is not a total abstainer. For this reason the results yielded by family budget enquiries are certainly under-estimates, even though nearly all show a substantial amount. Various influences have recently been at work to reduce consumption. The drinking of intoxicating liquor is repugnant alike to the religious beliefs and the social opinions of many persons in India, and there is a large section of public opinion in favour of the prohibition of its manufacture and sale. On the opposite side there are the arguments based on the impossibility, especially in India, of preventing wholesale illicit manufacture, and on both the rightness and the wisdom of coercing people to abstain. In this report we are dealing with only a small section of the population, and it is no part of our function to attempt to indicate a national policy on the subject. But there can be no doubt that a reduction in the consumption of liquor would increase the welfare and efficiency of the industrial workers.

Restrictions on Sale.

It is possible, and in our opinion desirable, that efforts should be made in all industrial centres to reduce the number of drink shops and to restrict the hours during which liquor may be sold. We suggest that in all large cities and industrial areas a general policy should be adopted of restricting the facilities for the sale of liquor. The areas selected should be sufficiently wide to ensure the policy of restriction being effective. The number of drink shops should be reduced and the hours of opening should be limited to certain hours which should in no case include any part of the forenoon. Outside the stated hours, the sale of liquor should be prohibited. We note with interest that in some areas of the United Provinces spirituous liquor may be supplied only in sealed bottles, a rule which, according to the memorandum furnished to us by the local Government, has resulted in reduced consumption. We recommend that the possibility of a wide extension of the system be examined,

for all reasonable steps should be taken to reduce the temptations to excessive drinking. In considering this question it is impossible to ignore what we believe to be the greatest difficulty in the way of restriction on sales. This arises from the importance of the excise duties to provincial revenues. In Madras, country liquors alone contributed in 1928-29 over a quarter of the total provincial revenue ; in Bihar and Orissa they furnished nearly a fifth of the total. Our proposals are limited to a small section of the population and in any case we are not competent to discuss the merits of alternative sources of taxation. Our duty, however, is to make recommendations with reference to the "health, efficiency and standard of living of the workers". The reduction of drinking should effect improvements in all of these, and thereby it will in due course increase the taxable capacity of the people. It is for Legislative Councils and Governments, if they consider that a price may be paid for these advantages, to determine the manner in which that price should be secured. In our recommendations elsewhere, we have sought to ensure for the worker better surroundings, less fatigue and increased facilities for amusement and recreation. Reduction in the consumption of drink is not the least of the benefits that such improvements may be expected to bring.

CHAPTER XIII.—INDEBTEDNESS.

The Burden of Debt.

Among the causes responsible for the low standard of living of the worker, indebtedness must be given a high place. Here, as elsewhere, we are confronted with an absence of reliable statistics, but there is general agreement as to the main fact, and we are satisfied that the majority of industrial workers are in debt for the greater part of their working lives. Many, indeed, are born in debt and it evokes both admiration and regret to find how commonly a son assumes responsibility for his father's debt, an obligation which rests on religious and social but seldom on legal sanctions. Many come to industry because they are in debt; some are enabled by industry to clear themselves and a few then become money-lenders instead of money-borrowers. More often the debts remain and fresh obligations are incurred. It is estimated that, in most industrial centres, the proportion of families or individuals who are in debt is not less than two-thirds of the whole. We believe that, in the great majority of cases, the amount of debt exceeds three months' wages and is often far in excess of this amount. We are not including in debt, for the purpose of these calculations, the amounts owing for the ordinary purchases of the month, which are generally made on credit.

Interest Rates.

A debt of even one quarter of a year's wages is a heavy burden, particularly to a man whose income is little more than sufficient for bare necessities. But the burden is aggravated out of all proportion by the rate of interest which has to be paid. A common rate is "one anna in the rupee", *i.e.*, one anna per month on every rupee borrowed, and this was a rate frequently cited to us in our tours. This is 75 per cent per annum, without allowing for the effect of compound interest. For the man who is only three months' wages in debt, the "anna in the rupee" rate involves a monthly charge of nearly 20 per cent of wages, on account of interest, apart from the usual obligation of repaying instalments of the capital. Lower rates are frequent, particularly on loans with security, but they are often associated with stringent conditions as to the repayment of the instalments. Much higher rates are also charged, 150 per cent or more per annum being by no means uncommon. Frequently the nominal rate is not the real one. For example, money may be borrowed with an addition to the debt of 25 per cent for the year's interest, on an agreement that capital and interest will be paid off in twelve equal monthly instalments during the year; here the actual rate of interest is nearly double the apparent rate. We add a few illustrations of these from various sources. The Bombay Labour Office, in its report on working class budgets in Ahmedabad, observes "The Ahmedabad worker is heavily indebted. The amount of debt varies from a few rupees to many times the monthly income. The money is borrowed at heavy rates of interest which in the majority of cases vary from 12 to 24 per cent. But higher rates of interest are not uncommon, and in

fact in one case the rate of interest reported was as high as 225 per cent." The prevailing rates of 12 to 24 per cent are low by comparison with other places, and may, we think, be attributed to the fact that a large proportion of the workers reside permanently in Ahmedabad or the adjacent areas. The enquiry made for us into the standard of living in certain towns of the Central Provinces states "Rates of interest on debts show that 25 per cent per annum is the most usual rate charged, and by far the largest amount of loans is incurred at that rate. But interest as high as 150 per cent, *i.e.*, two annas per rupee per month is not unknown and is generally exacted by the Kabuli money-lenders. The commonest term of such loan is the *sawai* system (*i.e.*, with 25 per cent interest) which requires that 1¼ times the money borrowed should be repaid within one year, and if it is not repaid within the stipulated time, compound interest is charged." As already observed, the system last described involves the payment of interest at a rate much larger than the apparent one. The Bombay Working Class Budgets Enquiry of 1921-23 gave the usual rate of interest as one anna in the rupee per mensem; a recent enquiry which was much more limited in scope states "While in a few cases no interest had to be paid on the money borrowed, at least in one case the rate of interest was as high as 150 per cent. In 29 per cent of the cases the rate of interest varied from 72 to 78 per cent and in 19 per cent of the cases it varied from 24 to 30 per cent." This relates to families; of 49 single persons in debt, the report observes, "The most usual rate of interest is from 18 to 30 per cent, although in 14 cases it was as high as 75 per cent." The enquiries made for us into the standard of living in the United Provinces give 75 per cent as the commonest rate at Cawnpore, the next commonest rate being 37½ per cent. In Lucknow and Gorakhpur, the higher rate is exceptional; this appears to be due in part to a number of the workers being members of co-operative societies. The enquiry made for us into the standard of living of jute mill workers in Bengal gives the average rate of interest at 78 per cent. The report on this enquiry and the evidence given to the Bengal Banking Enquiry Committee by the Indian Jute Mills Association both mention as the highest rate 325 per cent annually (one anna in the rupee weekly) on small sums. Rates in the Punjab appear to be much lower, but particulars are not available to distinguish loans by money-lenders from loans by co-operative societies, and here, as in other places, low rates seem to be associated with repayment by monthly instalments. The enquiry made into the standard of living on the South Indian Railway states "More than 80 per cent of the loans are obtained from money-lenders whose usual rate of interest ranges from one anna in the rupee or 75 per cent to two annas in the rupee or 150 per cent."

Payments on Debt.

Actual payments are seldom on the scale which strict fulfilment of the terms of the loan would require. The prompt repayment of the capital is not usually desired by the money-lender; he prefers to remain a creditor and receive interest, and in most cases he does not receive

the full amount of interest with regularity. But defaults are recorded and go to increase the liability, so that the borrowing of a trifling sum can, and not uncommonly does, lead in a few years to a permanent and heavy load of debt. In a number of cases a stage is reached when the money-lender takes from the worker the whole of his wages, paying him only sufficient for subsistence, and even puts the members of the worker's family to work on a similar basis. The statistics which are available of the actual payments by workers are even less reliable than those of debt and liability for interest; one anna per rupee of income for those indebted is a conservative estimate of the average payment; one month's wages in the year is probably a more accurate guess. All these figures can vary widely from industry to industry, and from centre to centre, and the variations in individual cases are very large. But whatever the figure, the result is almost invariable; the indebted worker has to give all of what might otherwise be his savings to the money-lender, and these payments are not merely the surplus that would be spent on petty luxuries; they have often to be provided by trenching on the primary needs of a healthy life. We have been impressed by the number of cases in which an industrious worker is obliged to stint himself and his family of necessities to meet interest charges without the faintest prospect of ever being able to reduce the principal. Many money-lenders take the precaution of making their dues the first charge on labour, and outside the gates of many, perhaps most, large factories on pay-day, stands the Pathan or other money-lender, awaiting his dues. In some cases the money-lender gets his dues at the source by being allowed to come to the pay-desk, but we have no reason to believe that this is a common practice.

Indebtedness and Efficiency.

The evil done by indebtedness is not confined to the hardship involved in the loss of money. We entirely agree with the Railway Board in their observation that the "tyranny of debt degrades the employee and impairs his efficiency". Indeed, we believe that debt is one of the principal obstacles to efficiency, because it destroys the incentive to effort. The indebted worker who makes an extra effort has little hope of securing a proportionate reward; in many cases the only result may be to enrich the money-lender. Many workers, however hard they work, cannot expect to secure anything above the level of subsistence; the "iron law" of wages is a reality in their case. The most powerful incentive to good work with the great majority of mankind is the prospect of securing a better livelihood; for too many Indian workers there can be no such prospect.

Causes of Indebtedness.

Our information goes to show that the most important single cause of borrowing is the expenditure on festivals, and particularly marriages. Births, deaths and other events of life may lead to the necessity for taking small loans, while periods of unemployment due to sickness, dismissal or trade stoppages have an appreciable effect. In Bombay,

in particular, the strikes of 1928 and 1929 appear to have enhanced substantially the extent of indebtedness. But the single large loan which plays an important part in binding permanent fetters on the worker is usually required in connection with a marriage. It is not uncommon for a worker to spend on a marriage the equivalent of a year's wages and to borrow the whole of that sum at a high rate of interest. As our proposals, if they are effective, will prevent expenditure on this scale for most workers, we wish to make it clear that we are far from desiring to make marriage difficult, or to prevent the worker from celebrating such events in a fitting manner. But he is too often coerced into what may be his own enslavement for years by social pressure, and we believe that if expenditure on a scale entirely beyond his means could be made impossible there would be a great addition to happiness and prosperity, without any check to marriage.

Special Position of Industrial Worker.

Indebtedness is by no means confined to the industrial worker; it is in fact fairly general throughout India and we recognise that some of the recommendations made later may be applicable to classes other than industrial workers. But we must emphasise the fact that, in respect of borrowing, the position of the industrial worker is in important respects different from that of the agriculturalist. The main difference is caused by his mobility. The man who moves from mill to mill, from centre to centre, from town to village is an unsound proposition from the money-lender's point of view. In addition, part of the agriculturalist's borrowings takes the form of short-term loans connected with his avocation, and can usually be repaid from the increased income which results. Practically none of the borrowing of industrial workers is of this character. Finally, while the agriculturalist in a number of cases can offer security, this is seldom possible for the industrial worker. His family may have a few ornaments, but after these have been pledged or sold there is nothing left but future earning capacity. A debtor who is not a permanent resident of the area where the money-lender carries on business, who cannot offer security, and who is not likely to obtain any increase in income as the result of his borrowing is in every way an unsound proposition. It is not surprising, therefore, that the industrial worker should have to pay particularly high rates of interest. We doubt if the majority of money-lenders amass the large profits attributed to them by popular belief. Apart from the immense amounts of interest which remain unpaid, there is a high proportion of bad debts. Although the sums collected must be enormous in the aggregate, the army of money-lenders is great and the expenses of collection are often substantial.

Co-operative Credit.

One effect of the difference between the agricultural and industrial worker in respect of debt is to render ineffective for the latter in many cases the means on which most stress has been laid for relieving the

agriculturalist, namely, the supply of co-operative credit. The principles of co-operative credit have made little progress among the mass of workers in factories and mines. Quite apart from any unfitness of the industrial worker as an individual, the movements among the industrial population form an almost insuperable obstacle to the spread of co-operation. Only where there is a regular settled labour force has co-operation a chance of succeeding, and even there modifications of the general methods of the movement are desirable, if substantial benefit is to be obtained. The railways contain much the most important section of industrial workers in regular permanent employ, and in recent years the co-operative movement has made considerable progress amongst them. We are, however, impressed by the fact that the greatest success is attained where the railway administration helps and assumes a considerable measure of control. The collection of instalments of loans through the paybills and the delegation of the executive work to a special officer of the railway weaken the educative force of co-operation; but such steps make it a much more powerful force for the reduction of debt, and having regard to the importance of this object, we have no hesitation in recommending that all railway administrations should make persistent efforts to help their workers in this way. We commend especially a study of the methods adopted on the Bombay Baroda and Central India Railway where the Jackson Co-operative Credit Society issued loans in the five years 1924-29 amounting to one and a third crores of rupees with losses amounting to less than a thousandth part of the collections. A recent development in connection with this society deserves the attention not merely of railway administrations but of other employers. When the society first started, loans were given only to members producing two participants in the provident fund as sureties. This had the practical effect of excluding gangmen and other low paid employees, many of whom were heavily indebted. Loans are now given to such men provided they produce two sureties with 5 years' service on the railway and provided that the loan is applied to the liquidation of debts due to professional money-lenders. The railway staff officer investigates such debts and is usually able to compound with the money-lender for a smaller sum than that claimed, very large reductions being secured in some cases. The debt is then repaid, and by the deduction of instalments from pay the debt is annulled. The difficulties in applying methods of this kind are to ensure that all loans are disclosed and to prevent the debtor from using the improvement in his credit to secure further loans from external sources. Something can be done to meet these difficulties by the exercise of close personal attention, and the employment of a labour officer is almost essential for this purpose. Where this condition can be satisfied, there are big possibilities in the way of debt liquidation. The work of a labour officer should remove the main obstacle to the working of a co-operative credit society by assuring regular employment to the workers, and his personal acquaintance with them and interest in them should accomplish the rest. In the initial stages, a loan to a society from an employer (or the appropriation of fines to its capital account) may prove of great benefit.

Danger of Credit.

Even if the co-operative credit movement were to spread among industrial workers to a much greater extent than we anticipate it would not strike at the heart of the workers' difficulties. Credit, in the sense of borrowing capacity, is not the worker's need; it would be nearer the truth to describe it as his curse. There are frequent occasions when a misfortune makes it necessary for him to obtain a small loan, but such loans are often obtained from relatives. Even where this is not possible, they could frequently be obtained on reasonable terms, if it were not for the larger debts already incurred. As matters stand at present, if these loans could all be secured on terms of easy repayment, the majority of workers would be little nearer to freedom. It is the large debts which are incurred not from economic necessity but on account of social pressure and custom that most enslave the worker. The fatal weakness in the present system is the comparative ease with which the worker can borrow sums which he has little prospect of being able to repay. His lack of education tends to prevent him from taking long views; and the offer of cash to the extent of a hundred or two hundred rupees in exchange for a thumb-print is almost irresistible. The lack of forethought in mortgaging the future is illustrated by the fact that the thumb-print is frequently given on a blank document or the page of a book. It is by no means uncommon for the money-lender to fill in both the capital sum and the interest rate subsequently, and in any case the borrower has no copy of the transaction and has usually to rely entirely on the money-lender for a periodical reckoning of the position. Quite apart from the dangers of this practice the workman has often no real perception of the effect of compound interest, and his readiness to let the future take care of itself is fatal to him.

Laws against Usury.

Laws against usury have been a prominent feature of various religions and national codes, and the leading religions of India affirm the principle underlying them. Unfortunately, as we think, the influence of economic thought in the nineteenth century led to the removal of all legal restrictions on usurious practices in India, and it is only within the last generation that there has been a tendency to re-impose them. This has led to a few legislative experiments but (with the possible exception of some measures relating to land) the attempts so far made have not been effective. The leading measure of general application is the Usurious Loans Act of 1918. This measure enables the court hearing a suit for the recovery of debt to re-open the transaction and relieve the debtor of excessive interest, provided that the transaction was substantially unfair in the first instance. Excessive interest is defined as meaning interest "in excess of that which the court deems to be reasonable having regard to the risk incurred as it appeared, or must be taken to have appeared, to the creditor at the date of the loan". It is agreed that the law has not been generally successful. We doubt if the interest in the type of transaction we are considering is "excessive" within the meaning of the

definition given, for the risk is usually great. But the reluctance of civil courts to deal with issues not raised by the pleadings seems to have been the main obstacle.

Objections to Legislation.

The absence of more thorough-going attempts to deal with the evil is not due in any large measure to active opposition on the part of the interests likely to be affected. Such opposition bulks small against the mass of public opinion in India, which is believed to be generally in favour of vigorous action. A valuable indication of the trend of more expert opinion is the stress laid by some of the reports of the Provincial Banking Enquiry Committees on legislative remedies. So far as the comparative inaction is not due to inertia, it appears to be based partly on reluctance to interfere with the sanctity of contract and partly on lack of faith in the efficacy of legislation. The objection based on the sanctity of contract may have been genuine in the past; to-day it is difficult to regard it as more than an excuse. To talk of sanctity in connection with the normal contracts made between a money-lender and an illiterate industrial worker is a grave misuse of a good word. The contract, in most cases, is unequal and unfair from the start. It is easy for a man to contract away his labour for years in a moment of thoughtlessness or at the call of some extravagant social demand. More serious consideration must be given to the view, held by a number of persons of experience, that legislation can achieve little or nothing. This view is not based on the belief that legislation in this sphere would be in advance of public opinion; as we have said, opinion generally is well in advance of the existing law. The difficulty present to the minds of many of those who have considered the question is that of devising provisions which do not lend themselves to evasion by the money-lender. Here the question is obviously one of degree. On the one hand, legislation which cannot be enforced is not merely useless but harmful; it tends to impair the respect for law and to weaken public morality. On the other hand, there is no law which cannot sometimes be evaded with impunity. The Bengal Banking Enquiry Committee rightly say: "The principal objection against promulgation of the measures we have proposed above is that they are liable to be evaded in various ways. But the fact that the provisions of a law are capable of being evaded by fraudulent means should not deter the legislature from enacting a just and necessary measure for the protection of the simple and the ignorant. The mere existence of the measure in the Statute Book would tend to educate and strengthen public opinion and make the law abiding and less adventurous among the money-lenders averse to making any attempt at evasion." In our view the evils associated with the practice are so serious that the possibility of even a substantial amount of evasion should not deter the legislature from enacting measures which would strengthen to an appreciable extent the forces operating in favour of the freedom of the worker. It is clear that such measures can be devised, and we proceed to discuss some steps in this direction which appear desirable.

Credit of the Worker.

Thought on the subject has naturally concentrated mainly on the position of the borrower. We also are anxious to protect the borrower; at the same time considerable light can be thrown on the problem by examining it from the other end, namely, from the point of view of the lender. The worker's debts are due to a large extent to the fact that the lender finds in him a profitable investment and is ready and, indeed, eager to give the worker money which it is contrary to the latter's interest to accept. After weighing carefully the considerations on both sides, we are definitely of the opinion that it is in the worker's interest to reduce his attractiveness as a field for investment. In other words, efforts must be concentrated on diminishing his power of obtaining credit. We recognise the force of the argument against this conclusion. There are occasions when the worker is in grave need, and money-lenders often perform a useful function in assisting the worker in emergencies. But the widespread havoc produced by the present system of comparatively easy credit far exceeds the hardships that would result from a reduction in the money-lender's readiness to lend. It is relevant to observe that, if the larger loans were not advanced, the worker would probably find it easier than it is to borrow the smaller sums necessary to tide him over a hard time and to repay these without undue delay. Our proposals, then, are mainly directed towards making it unprofitable for the money-lender to advance to workers amounts which are beyond their power to repay.

Attachment of Wages and Salaries.

Our first recommendation in this connection refers to the recovery of debts through employers. Under the Civil Procedure Code, it is possible for a money-lender to secure the attachment of the wages of any one who is not a labourer or a domestic servant, and we understand that the majority of workers in organised industry would not be regarded as labourers within the meaning of the Act. But in respect of certain classes of employees, particularly railway servants and the servants of local authorities, the law allows the money-lender to use the employer as his debt-collector to a much greater extent. In such cases it is possible to attach half of an employee's salary or the amount by which that salary exceeds twenty rupees a month, whichever is less. In some cases private employers are required to make similar recoveries, although the legality of this is doubtful. Thus, in the case of an employee in receipt of a regular salary, the money-lender can secure an order directing the railway administration to hand over, month by month, a large part of the employee's salary until the whole decree has been covered, a period which extends in some cases to years rather than months. The comparative security of railway service further increases the attraction of the railway servant for the money-lender, and all the evidence goes to show that the level of indebtedness in terms of wages is higher among railway servants than among industrial employees as a whole. This is itself a striking confirmation of our main thesis that it is the credit of the worker which is his undoing.

We recommend that the salary and wages of every workman receiving less than Rs. 300 a month be exempted entirely from the possibility of attachment. If, on examination, there are found to be objections to applying this exemption to every one employed on a salary less than Rs. 300 a month, the definition of workman in the Workmen's Compensation Act might be suitable.

Imprisonment for Debt.

We are also in favour of the modification of the law relating to imprisonment for debt. As the law stands at present, male debtors are liable to be arrested and imprisoned for six months in execution of a decree for the payment of more than Rs. 50 and for six weeks in the case of a smaller sum. We understand that the courts are usually reluctant to order imprisonment, and the fact that the creditor has to support the debtor in prison makes the former most unwilling to secure the detention of any one who has no money. But the threat of imprisonment is a useful weapon in the hands of the money-lender. In any case, we do not think that it is possible to justify the imprisonment of debtors of the type we are considering. We recommend that, at least so far as industrial workers in receipt of wages or salary amounting to less than Rs. 100 a month are concerned, arrest and imprisonment for debt be abolished except where the debtor has been proved to be both able and unwilling to pay.

Provident Funds.

Another form of security is given to the money-lender in the power to attach employees' contributions to provident funds. In the case of provident funds maintained for their employees by Government and local bodies, these contributions are apparently protected from attachment; but no similar security is given in the case of funds maintained by private employers. So long as the fund is a *bona fide* one, there seems no reason why the same security should not be granted. We recommend that in the case of funds certified by Government for this purpose, the contributions of workers should be safeguarded. We understand that the rules of funds are in a number of cases scrutinised for income-tax purposes, and it should not be difficult to distinguish the genuine funds and, if it is decided to grant exemption only to industrial workers, to limit certificates to funds catering for them.

The Assistance of the Law.

Although the preceding recommendations should be of considerable assistance, they will not by themselves deal any severe blow at the existing system, and something much more drastic is required. We would repeat that much of the present misery is due to the readiness of the money-lender to enter into contracts which he knows the debtor cannot fulfil, or at best can fulfil only by suffering severe and prolonged hardship. The law should set its face sternly against such contracts. So far from doing its best to secure their enforcement, it should make that enforcement impossible. The assistance of the law should be restricted

to the recovery of such sums as the borrower can reasonably repay in a limited period of time. Probably there is no method which is entirely secure against evasion on the part of the lender or misuse on the part of the borrower. But we would repeat that these possibilities are not in themselves a sufficient argument against the adoption of a law that will be generally beneficial, and it is certain that until some method can be applied, the State will fail to satisfy one of the pressing needs of labour. Of the scheme which appears to us to offer the greatest hope of successful working, little more than an outline is possible here. We recognise the intricacy of the subject, but if the will to apply the remedy is present, the legal and administrative difficulties can be surmounted.

Summary Liquidation Proceedings.

We recommend a new procedure for the liquidation of unsecured debts due from workmen. We contemplate that on the presentation of an application by a workman giving a statement of his debts and creditors and assets, the court should issue a notice to the creditors and should thereafter in a summary enquiry estimate the workman's assets, his probable earnings and reasonable expenditure for the maintenance of himself and his family during the ensuing two years. The court, having assessed these, would issue a decree based on the difference between the two sums. Execution of this decree could then be obtained in the usual way, but it should not be possible to keep the decree alive for more than three years in all. In order to prevent the defrauding of money-lenders by the subsequent contraction of collusive debts, we suggest that the debts should rank preferentially in order of their age, the oldest debts having priority. The application for the benefit of the special Act embodying the procedure might be made either in response to a suit for debt or without any previous proceedings. We should like to see the duty laid on the court of applying the special Act of its own motion in cases where it appeared to be applicable, but we recognise the difficulty of securing that such a provision will be effective; and there is no doubt that persons will be forthcoming to assist the workman in claiming his privileges. What is essential is that the procedure should be rapid and as free as possible from the intricacies and technicalities of ordinary civil court procedure.

A New Law.

The procedure suggested bears some resemblance to proceedings in insolvency courts, but we are anxious that, if a law is passed, it should be a new Act with a new procedure and as far as possible unrelated to insolvency Acts. Insolvency has somewhat unfortunate associations, and it is necessary to seek an entirely new avenue of approach. In insolvency proceedings there is an inevitable tendency on the part of the court to regard itself as charged primarily with the duty of assisting the creditors and of checking fraud on the part of petitioners. In the case of loans which are obviously beyond the capacity of the labourer to repay it is not unfair to regard the creditor as the person

ordinarily to blame. While therefore the court will be in a position to assist in the recovery of fair loans, it should regard itself as the protector of the poor against extortion and their own foolishness. For this reason, we suggest that the possibility of appointing special courts, as is done in the case of the Workmen's Compensation Act, should be considered. As under that Act, it should be possible for a party to make an appearance by a legal practitioner or any other person authorised in writing.

Class of Workers to be Covered.

We anticipate that one of the main difficulties in working out the scheme in detail will be to specify the classes to whom it can be applied. Our point of view is limited by our terms of reference to industrial workers, and we are, therefore, unable to say how far the scheme, which seems to us to be specially suited to them, can be adapted to a wider circle. If it is found on examination that the scheme cannot be applied to the poorer classes of the population generally, it will be essential to frame a precise definition of industrial workers, and it may be necessary, in the first instance at any rate, to limit the operation of the Act to scheduled industrial areas with power to extend it to other areas. If a monetary limit is required, we suggest that the scheme should be applicable only to workmen in receipt of wages or salary of less than Rs. 100 a month.

Old Debts.

The question of debts incurred before the passing of a measure of this kind deserves consideration. It can be urged that it is inequitable to apply fresh restrictions on the recovery of money lent while these restrictions were not in force or even contemplated. On the other hand, it is certain that, if special measures to limit the extent of recovery of old debts are not adopted, there are many workers who will have no prospect of securing freedom. Further, in many cases the loans have been lent without regard to their effect upon the debtor. It would be possible to grant a period of grace, for example, two years before the new legislation took effect, but we fear that this would be made the opportunity for a flood of litigation. Our recommendation that the oldest debts should have preference will give protection to reasonable loans incurred in the past, and we must regard the grant of credit to an extent greater than the amount we propose to make recoverable as ordinarily unreasonable. The greatest concession we would make therefore would be to allow, in respect of applications made during the first three years of the operation of the Act, the amount recoverable to be based on three, instead of two years' income and expenditure and the maximum period during which decrees could remain effective to be four years instead of three.

Periods of Limitation.

Apart from new legislation of this kind, we recommend that the question of the period of limitation for debts and the period within which a decree may be kept alive under the ordinary law should be re-examined.

So far as industrial workers are concerned, the period of limitation for unsecured debts, which is at present three years, might advantageously be reduced to two years, and there is no justification for permitting the creditor who has secured a decree to keep that decree alive for 12 years or anything approaching that period. At the same time, it may be both difficult and undesirable to modify provisions of such general application in favour of a very limited class of workers unless they are to be modified generally, and it is not possible for us to examine the questions involved from the point of view of the general population.

Enforcement of Legal Rights.

The changes proposed in the law will not by themselves bring about the big change that is desired. The great majority of debts never come within the cognisance of a court and the workman's knowledge of his legal rights and capacity to invoke them are both limited. But if the law is substantially altered in the direction of the protection of the debtor, all the other forces working to protect him will be greatly strengthened. We have noted with appreciation the efforts made by social workers, co-operators, labour leaders, employers and others to save workmen from heavy debts, but the scales are at present so heavily weighted in favour of the money-lender as to make these efforts unduly difficult and largely ineffective. Our recommendations are designed partly to place powerful weapons in the hands of all who are prepared to assist the workman, and we hope that they will lead to much greater activity in the matter of debt prevention and debt redemption on the part of trade unions, employers, and individuals as well as associations working for social betterment. Trade unions, in particular, will have an opportunity of constructive work of a striking kind, and should be able, by asserting the worker's rights as against his creditor, to demonstrate their value to many more workers, while social workers, by the formation of debt redemption societies or otherwise, should be able to make a larger contribution to the economic welfare of labour. It is certain that a successful effort to deal with this grave evil will bring great benefit to workers and employers alike, and that it will not hurt those money-lenders whose activities are confined to business of a useful kind.

Besetting an Industrial Establishment.

The preceding paragraphs have dealt mainly with the money-lender who threatens his victim with legal proceedings and, more rarely, drives him into court. There are, however, many money-lenders who prey upon workers and depend upon the threat of violence rather than of the processes of the law. The *lathi* is the only court to which they appeal, and they may be seen waiting outside the factory gate on pay-day ready to pounce on their debtors as they emerge. Our recommendations should not be ineffective even in their case, for they are as a rule fairly scrupulous even in using intimidation, and seldom employ it to exact more than the law allows. But stronger measures are justified, particularly as the object of waiting outside the factory is to ensure that their claims form the first charge on wages. We

recommend, therefore, that besetting an industrial establishment for the recovery of debts be made a criminal and cognisable offence. Besetting might be defined as loitering within the precincts or near or within sight of any gate or outlet of the establishment. This should go far to cripple the activities of a class of money-lender already generally regarded as a pest to society. It should also bring to an end the still more deplorable practice of some employers who permit the money-lender to enter the factory compound and to collect his dues before the workers' wages reach their hands.

Recruiting Advances.

We have had in view hitherto the protection of the worker from the temptation to incur substantial and unproductive debts. We deal in conclusion with certain features associated with important sections of Indian industry which, while not responsible for the bulk of indebtedness, tend to enhance the burden on a number of workers. The first of these is the practice of making the worker pay for the cost of his own recruitment. An advance is paid by the employer or his agent partly as an inducement to enter employment, partly to cover the actual travelling expenses and partly, in some cases, to secure a hold over the worker after he has been recruited. This practice is very rare among factory owners, but it is common elsewhere, especially where labour is engaged through contractors. The result is to saddle the worker with an additional burden of debt at the outset of his industrial career, if not on each occasion when necessity drives him back from the village to industry. We consider that if an employer or his agent finds it necessary to advance travelling expenses to secure labour, he should pay these himself. The practice of giving an advance in addition to travelling expenses is one that lends itself to abuse; few workers can resist the prospect of cash in hand, which is often unwisely spent and which may secure their being bound to serve an employer under hard conditions. We recommend, therefore, that the recovery of any amount advanced to meet the expenses of recruitment of labour should be illegal, and that, so far as other advances are concerned, no amount advanced before actual employment begins should be recoverable except from the first wage payment. This will not preclude an employer or his agent advancing the first wage that the employee will earn, but it will make it possible for the employee to start on his second wage period unencumbered by debt to his employer. In those establishments to which our proposals relating to the control of deductions are applied, the deduction of advances other than those which we have treated as legitimate can be dealt with by the law which we have recommended in the preceding chapter. Elsewhere, illegal advances will merely be irrecoverable at law.

Periods of Wage Payment.

The other feature which adds to the embarrassment of the workers in many centres is the crmparatively long period in respect of which wages are paid, and the delay which is apt to occur in their payment. The most usual period of payment in organised industry is the month.

Monthly payment is practically universal on the railways and in most other forms of transport, it is general in cotton textile mills except in Ahmedabad and Cawnpore, and is common in engineering and metal factories. The most important exceptions to the practice of monthly payment, so far as factories are concerned, are the jute mills, in which the operatives are paid weekly, the Ahmedabad cotton mills which pay approximately fortnightly, most of the leading Cawnpore mills which pay fortnightly, and the bulk of seasonal factories. Monthly payment is rare in the mining industries; the Raniganj coalfield pays wages daily and the great majority of mines elsewhere pay weekly. Casual labour naturally tends to be paid daily and unskilled labour in unorganised industry, if not employed by contractors, is often so paid.

Delays in Payment.

With the prevalence of long periods of payment there is a tendency to allow a comparatively long time to elapse between the end of the period in respect of which a wage has been earned and its actual payment. Where wages are paid monthly, it is the exception for the worker to receive his wages at any time in the week following the end of the month. Ten to fifteen days usually elapse before he gets his money, and it is not infrequent for the delay to exceed 15 days. With shorter periods of payment than the month, there is generally less delay. Fortnightly wages are seldom retained for more than 10 days and are frequently paid in from 3 to 5 days. Weekly wages are hardly ever withheld for more than a week and may be paid very promptly, while daily wages are usually paid on the day on which they are earned.

Weekly Payments Bill.

The only attempt so far to deal with these questions by legislation was made in 1925 when a private Bill was introduced in the Legislative Assembly with the intention of enforcing the general adoption of weekly payments to employees. The measure was circulated for opinions and those received were almost unanimously unfavourable to it. It was opposed generally by employers and the provincial Governments. It was asserted with some confidence in many quarters that the workers were opposed to the reduction of the period. On the second reading in 1926, the Government of India opposed the measure, and made it clear that in their view the aim should be to reduce the delays which took place in the payment of wages and not to reduce the period of payment. On an assurance being given by Government that this latter question would be investigated, the Bill was withdrawn by its sponsor.

Delayed Payment and Debt.

In the discussion of both these questions, stress was laid on their bearing on indebtedness. While we recognise the injustice of withholding wages for longer than is necessary to ensure their calculation, we do not believe that the existence of a fairly long waiting period

has an effect on the indebtedness of the worker which is at all comparable with the effect of paying wages monthly. Provided that the delay in payment is of uniform length (and this is usually the case) the only effect of the waiting period is to increase the time which elapses before the first wage is paid. For example, to take a frequent case, if monthly wages are paid about a fortnight after the end of the month, the effect of the waiting period is to increase from a month to about six weeks, the initial period of service without wages. The mere reduction of this period to, say, five weeks would be of some assistance; but it would seldom place the worker in a position to dispense with fresh borrowing.

Short Wage Periods and Debt.

The reduction of the wage period itself, on the other hand, would have important effects. Long intervals between wage payments invariably add to the embarrassments of the poor, and have an appreciable influence in binding the worker to the money-lender. The mere purchase of goods on credit is not necessarily equivalent to running into debt and the shopkeeper (who is often the money-lender) frequently does not charge interest on the current account for provisions. But he gets the equivalent of interest in an enhanced price and where the worker has already other debts, a month's credit is a distinct and insidious addition to his burden. It strengthens the chain which holds him to his creditor, and it acts as an additional obstacle to the habit of saving. Some workers spoke to us of the advantage they would secure from weekly wages in being able to do more purchasing in cash, and we believe that the general adoption of weekly payments would have important effects in this direction. A shorter period of payment should also improve the workers' financial position in other ways. The illiterate worker tends to take a short view; the longer view of life is largely a matter of education. It is, therefore, of particular importance in his case that the connection between cause and effect should be as short and obvious as possible. Where payment is on piece rates, there is a distinct tendency for the standard of work to improve as pay-day approaches. We believe that a reduction in the period would have a definite effect on efficiency. It would also assist the worker to more judicious expenditure. It is unfortunately impossible to produce conclusive proof of our view by a comparison of the position of those workers who are paid weekly or fortnightly with that of the monthly-paid workers. Accurate statistics of indebtedness are not available and, even if they were, the differences of race and training between workers in different centres and different industries would make it difficult to base conclusions upon them. We believe it to be a fact that the coal miner, who is paid weekly or daily, is much less in debt, in proportion to his income, than the railway worker, who is paid monthly; but the differences between the two cases in respect of the other factors which can affect indebtedness is so great that no deduction can safely be drawn from the fact. It should be added, however, that a number of employers who pay monthly make advances against wages to their workers during the

month. In a few instances interest is charged. Advances are sometimes given systematically on a particular day and may represent a substantial fraction of the monthly wage. Such cases represent an approximation to a system of half-monthly payment, and the position of the worker is made easier. In most establishments, however, no advances or only very small advances are granted.

Attitude of Labour.

While many employers are naturally opposed to proposals to compel them to introduce a system which would involve extra trouble and some extra expense, we believe that others would be ready to pay wages by shorter periods if they were convinced that their workers wanted it. When the Weekly Payments Bill was under discussion, the evidence of opposition to change on the part of the operatives seems to have had a considerable influence, and we have directed some attention to this point. As a result, it is not possible to indulge in any generalisation on the question. The leaders of labour realise the possibilities which a shorter period offers, but there cannot be said to be any widely voiced demand for change. Indeed, whether the employer has paid monthly, half-monthly, fortnightly, weekly or daily, the workers have nearly always acquiesced, and the majority are so heavily indebted that the gain which a change of period might bring appears trifling when compared with the possible inconvenience or danger. Thus in some branches of industry, and especially on railways, particular privileges are apt to be accorded to monthly-paid men and not to others. In such cases, the proposal to reduce the period naturally creates apprehension. With a few there is a sense of prestige attaching to monthly payments, and in some cases the system of advances goes far to overcome the disadvantages of monthly payment. More potent with many, probably, is the fear of a disturbance of relations with money-lenders, shopkeepers and landlords, who are naturally unwilling to alter their systems of accounts. Small groups of workers who can only pay their bills monthly, if paid fortnightly, may be placed in a difficulty, and this is not likely to be overcome unless employers in a particular centre or Government enforce a change in respect of large numbers of workers. The introduction of a short period of payment, like some of our other proposals may involve an addition to the nominal or real rate of interest on the reduced sums that will be borrowed, but here again we fall back on our main proposition regarding the danger of credit. To give the money-lender greater security in respect of recoveries, *e.g.*, by compelling all employers to collect his debts, would bring down the interest rates, but it would be ruinous to the borrowers. We wish to make the borrowing of substantial sums difficult, not easy. A reduction of the period would enhance the difficulties of collecting debts and would thus assist in securing that reduction in the worker's capacity to borrow which we believe to be of such fundamental importance. Finally, in a number of cases, the opposition of the jobbers to a change is influential. These men, who are frequently money-lenders themselves and sometimes act as intermediaries in securing loans, and whose anxiety

not to relax any hold over the workers is greater than that of the employers, are not likely to favour any step which tends to make the workers more independent.

Desirability of Weekly Payments.

Our conclusion then is that the prevalence of a monthly period of payment is not in the best interests of the employees. We recommend the general adoption of a system of weekly payments in the belief that it will have important effects on both welfare and efficiency. The advantages to be gained are, in our view, so obvious and definite that the State would be justified in intervening to enforce the general adoption of weekly payments if this could be secured without an unreasonable amount of dislocation to industry. At the same time, we are alive to the advisability of proceeding gradually in matters of this kind. There has previously been no attempt in India to regulate the period of wage payment, and it is quite possible that even if the assent of employers is secured the opposition of the jobbers and others who are interested in perpetuating the present system may have serious results. While we would urge on employers everywhere the adoption of the system of weekly payments, we are not prepared to advocate their general enforcement by Government at the present time. It is better to take a preliminary step in that direction in the hope that the wise employers will themselves go much further than the law demands and the others may at a later date be convinced by the results secured.

Legislation for Shorter Period.

Our proposal is that in the textile industries, railway and engineering workshops and iron and steel works the law should require payment of wages to the process operatives at intervals not exceeding 16 days This will enable textile employers to pay wages either twice a month, or fortnightly, or weekly or by other short periods. It will also render possible the continuation of the system at present prevailing in Ahmedabad where wages are paid on a *hapta*, which is a period varying from 14 to 16 days according to the convenience of each particular mill. The law should also confer on the appropriate authority the power to extend a similar provision to other industries or classes of operatives, either generally or in particular centres. We suggest that the first case examined in this connection should be that of railway workers outside the workshops. There are difficulties here in the matter of payment which do not arise in other industries, but in the case of certain important classes of workers the period of wage payment might advantageously be reduced. It is, however, of the utmost importance to ensure that if any reduction is made, no worker forfeits any privilege or concession which is attached to payment on a monthly basis Diwan Chaman Lall considers that the payment of wages weekly should be made statutory.

Period of Notice.

We understand that ordinarily the period of payment determines the extent of notice which is required to determine an employment. Thus,

the employee who is engaged by the month must give and receive a month's notice, whereas in the case of the employee engaged by the week, only a week's notice is necessary on either side. This tends to give the employer an additional inducement to continue the payment of wages by the longer period. Since employees are seldom in a position to give a month's notice, another result is that they forfeit the legal right to their wages for any broken period for which they may have worked. As they have ordinarily to go on working for about a fortnight in order to secure their wages for the previous month, the loss may be appreciable. For both reasons, we recommend that for industrial employees in factories the legal period of notice should in no case exceed a week, whatever the period by which wages are paid.

Prevention of Delayed Payments.

While in our opinion the reduction of the waiting period in respect of wages is much less important than that of the wage period, we consider that labour has a strong claim to protection against the unduly long delays which are frequent at present. To quote the Government of India "it is no uncommon thing—in fact, it appears to be the rule in certain industries—for monthly wages to be systematically withheld until a fortnight after the close of the month to which they relate. And cases have come to the notice of Government in which wages had been withheld for considerably longer periods." We have been unable to find any adequate justification for this practice. There is no force in the argument that the withholding of the previous month's wages for a substantial part of the following month tends to prevent the workman from leaving his employer, and the long period is really not necessary for the calculation of wages. In many cases, and especially on railways which have been conspicuous in this matter, the division of the employees into groups paid on different days of the month would ease the strain that at present falls on the accounting staff in a particular portion of the month and secure prompt payment for all concerned. For various reasons the payment of wages in India is not so simple as it is in the West, but there is little evidence of serious attempts to secure that wages should be paid as promptly as possible. Our recommendation is that the law should insist on the payment of wages within 7 days from the expiry of the period in which they have been earned in the ordinary case and that they should be paid as early as possible but not later than two days from the date of discharge in the case of an operative who is discharged. In our opinion the law should be applicable to factories, mines, railways and plantations and it should provide for possible extensions to other branches of industry. It may be necessary to provide for exemptions to cover cases of those railway workers who live at a long distance from headquarters, but we hope that they will seldom be required. This proposal should secure for many workers the payment of their wages a week earlier than is customary at present and protect others against the very long delays to which they are subjected at times. It should be of especial assistance to the worker when he enters industry for the first time or returns to it after a period of absence.

Importance of Action.

In concluding our discussion of indebtedness, we would again stress the importance of the question, and the gains which can be secured by even partially successful attacks on its problems. In dealing with matters of this kind there seems to us to be a tendency to reject the imperfect weapon and to wait in the hope that at some future date the perfect one will be available. Indebtedness is a formidable question, but its magnitude enhances the importance of attacking it and increases the results to be secured by successful efforts. Some of the methods we have advocated for application to industrial workers may be capable of wide extension, and there is no need to dwell on the great advantages to Indian industry that would immediately accrue from even a small increase in the purchasing power of the masses.

CHAPTER XIV.—HEALTH AND WELFARE OF THE INDUSTRIAL WORKER.

Health and Housing : the Long View.

Before discussing in detail the problems associated with the health and housing of the industrial worker to which we devote this and the following chapter, we desire to explain the attitude we have adopted in considering these difficult questions. The need for great improvements is undeniable, and it is fairly generally recognised. What is not so generally realised is the fact that these great improvements can be secured. The application of the knowledge of preventive medicine which has been acquired in recent years in respect of the existing evils would effect a great transformation. Much of the misery arising from sickness and disease can be prevented by methods which are well known and well tested. We cannot, however, overlook the fact that our proposals, if adopted, will involve a considerable expenditure and on this aspect we have two observations to make.

In the first place, it is necessary, in respect both of health and housing, to take a long view. We should have been doing a poor service to India if, in this direction, we had limited our outlook to what is possible here and now. Even if the present moment had not been one of great financial stringency, it would have been unwise to confine our recommendations to what was immediately possible. The proper treatment of problems of public health demands a considered programme ; the attempt to deal with them piecemeal too often involves the frittering away of financial resources. It follows that progress in the provision of adequate medical facilities, the development of welfare schemes and the construction of working class houses must inevitably be gradual and that expenditure will be spaced over a considerable period of years. We do not suggest, therefore, that all our recommendations in the next two chapters can be dealt with either immediately or simultaneously, but we have attempted to lay down a policy and a programme ensuring gradual and progressive advance. We believe our proposals to be practicable and they are necessary if the workers' standards of living are to be raised to a reasonable level. It is from this point of view that they should be considered ; with energy, goodwill and co-operation we are convinced that they can be successfully carried out.

In the second place, expenditure on public health, besides yielding an immense return in human happiness, is bound to produce great economic advantages. There are few directions offering such great opportunities for profitable investment on the part of the State. The economic loss involved in the birth and rearing of great numbers of children who do not live to make any return to the community, in the sickness and disease which debilitate a large proportion of the workers and in early death, with the consequent reduction of the earning years, is incalculable. Even a small step in the prevention of these ills would have an appreciable effect in increasing the wealth of India ; a courageous attack on them might produce a revolution in the standards of life and prosperity. We feel that

the time for inaction and delay is past and that, particularly in regard to housing, it is imperative that an immediate beginning should be made. To those who assert that India cannot afford to spend more on public health, we would reply that she can no longer afford to do otherwise.

The Importance of Health.

In dealing with particular branches of industry we have had occasion to refer to a number of specific subjects relating to health, more particularly those concerning the worker while actually at work. We deal in this chapter with the wider general subject of the health of the industrial worker in its relation both to his welfare and to his work. This is a matter of cardinal importance to the worker himself, but it is scarcely less important to others directly or indirectly associated with industrial development and national progress. Government, employers and workers are all directly interested in promoting better standards of life and in reducing the losses sustained through sickness, accident and death in the industrial army. The problems associated with health are always difficult; they are much more so in a country where both climate and the poverty and ignorance of the people contribute to recurring outbreaks of tropical and other epidemic diseases.

Physique.

Before suggesting methods for improving the health of the industrial worker, it is necessary to give some consideration to the important questions of his physique and dietary. We have had some difficulty in arriving at a fair estimate of the average physical condition, because of the variations which exist between different sections of the population and, indeed, between different races and castes working in the same industrial concern. We have observed that many industrial workers are neither the sons nor the grandsons of town-dwellers; they have migrated from the villages and have only temporarily severed their connection with the land. They are to some extent selected immigrants. The move to the city requires a certain degree of enterprise and courage; and most of those who go are, by their age and physique, better qualified than the average villager to face the more trying conditions inherent in industrial life. In addition the period of exile is often restricted in duration. The sowing and harvesting seasons, sickness, news of the illness or death of a relative may all lead to a return home. Some workers return every year, others every two or three years, and there is a constant stream from village to city and back again. These factors all play a selective part and tend to favour the appearance of a moderately good physique in many of the men industrially employed. Other influences work in an opposite direction. More often than not the villager lives under a burden of debt, and economic pressure and want compel a low standard of living which renders him unfit for hard work. He has perforce to accustom himself to a diet deficient in quality and often in quantity. Although cattle exist in enormous numbers, milk supplies are inadequate, and the villager is rarely able to obtain a sufficiency of the important animal fats contained in pure milk and *ghi*. His staple grain diet may be supplemented from one source or another with small

quantities of green vegetables but these supplies are seldom adequate. The result is a lack of stamina and a lowered resisting power to disease which are apparent not only amongst the rice-eating races but even in those whose staple food is wheat. The effect is severely to handicap the agricultural emigrant in making the many adjustments required of him when he migrates to the industrial field.

Adjustments Necessary.

The new conditions of life are very different from those to which he has been accustomed. On arrival, he usually finds accommodation with some relative or friend living in an already overcrowded room in a congested area. On obtaining work he is compelled to change his usual meal hours, although he adheres to his custom of taking two meals a day. His first repast is usually taken before he goes to work, but as the early start gives little time for cooking, this generally consists of cold food prepared the previous night. The interval between the morning and afternoon spells of work is much shorter than in the village and is used primarily for rest, although on occasion he postpones his first meal to this period. At other times some light refreshment like parched gram is taken. The evening meal is usually the main one of the day. Moreover, the worker's diet is unsatisfactory from many standpoints ; milk is more difficult to procure than in his village, pure *ghi* is unobtainable, whilst vegetables or fruit, even if available, are often beyond his means. Usually the work is indoors ; this, coupled in many cases with unaccustomed concentration for long hours on new work, involves a strain not always appreciated. Finally there is the matter of housing, with which we deal in a separate chapter. The generous contributions made by a number of employers towards the provision of houses represent a substantial attempt to improve conditions. Apart from these, housing is of the meanest description, and the indifference of the worker to the dangers of overcrowding, and lack of light, ventilation and sanitation enhance its detrimental effect. Moreover, shortage of houses, absence of adequate transport and the natural reluctance of the worker to live anywhere but in close proximity to his work add to the overcrowding and compel him to submit to exorbitant rent charges. The industrial recruit is thus handicapped from the start.

Lack of Family Life.

Another factor which must be taken into account when dealing with the health of the worker and the difficulties of adjustment which confront him when he leaves agriculture for industry is the disturbance to family life. In his own village, the balance of the sexes is for the most part normal. When he comes into industry, it is usual for him to leave his family at home. If he has a plot of land, his wife and family must be left behind to till and reap. In addition the housing facilities are ordinarily such that he has little prospect of obtaining suitable family quarters. Too often all that is available is a share of a room, where he keeps his small box. The number of such boxes is generally a sure indication of the number of tenants in the room, shewing only too clearly that the

"home" is no more than a place in which to cook food and to store possessions. Even where the employer provides housing, he is able to do so only for a proportion of his workers, and in certain cases has confined construction to barrack rooms suitable only for "single" men. There is thus one outstanding and unhealthy characteristic peculiar to the industrial areas, namely a marked disparity in the proportion of the sexes. The number of women per 1,000 males in the more important industrial cities in 1921 and 1931 was as follows:—

	1921.	1931.		1921.	1931.
Rangoon	444	478	Delhi	672	674
Calcutta and Suburbs ..	500	475	Ahmedabad ..	763	*
Bombay	524	553	Nagpur	864	852
Karachi	629	697	Sholapur	894	880
Cawnpore	667	698	Madras	908	896

*Not available.

If it were possible to analyse the figures for the industrial classes separately, the numbers would show an even greater disparity.

Effects of Sex Disparity.

This inequality gives rise to a number of grave social problems. In the first place, it leads to an increase of prostitution and a subsequent spread of venereal disease first in the city and later to the village, with the return of the migratory worker to his home. In the second place, the effect on home life is often disastrous since a premium is put upon the formation of irregular unions. The very knowledge of this too often completes the vicious circle, many men hesitating to bring their wives into the industrial cities, where the atmosphere is so alien to that of the village with its code of moral restraints. We have advocated in an earlier chapter that no endeavour should be made to break the thread that still binds the Indian factory worker to the soil. By this, however, we should not be taken to mean that we favour the present tendency of industry to divorce the factory worker from the ordinary amenities of home life. Indeed, we believe that every effort should be made to overcome these difficulties and to bring about a healthier sex proportion in the industrial cities. One of the most important factors affecting this problem is the housing conditions in those areas, with which we deal in the next chapter.

Cotton Mill Workers.

Even amongst the more or less permanent industrial workers, physique is frequently unsatisfactory, and the standard is perhaps lowest of all in the large organised industries. In the Bombay Presidency where over 80 per cent of the workers are employed in the cotton mills, their physical condition is admitted on all hands to be poor. An investigation carried out a few years ago showed that these mill workers have a noticeably low average weight as compared with other classes of labour, the average being highest in Sholapur, lowest in Bombay and midway in

Ahmedabad. This is in exact relation to the origin of the labour force in these three centres. In Bombay most of the labour comes from Konkan, a poverty-stricken and unhealthy tract; and the low grade of physique among these people is largely due to poor constitutions from birth and to a deficient diet. The nature of the work, the unhealthy conditions in some of the mills and bad housing must all have an additional detrimental effect, although the general practice of returning to their country and the increased earnings which some enjoy may counteract these evils to some extent. The immigrants from Kathiawar, Rajputana and the United Provinces, who work in Ahmedabad, have a better physique than the local labour force, the variation again being due to differences in diet. The somewhat higher standard of the Sholapur worker is due to the more healthy stock from which he comes and to his habit of taking regular exercise. It is also worth noticing that, of the three centres, Bombay has the worst sex-ratio and Sholapur the best. Generally speaking, the cotton mill workers have little of the stamina required for sustained industrial life and are easily susceptible to malaria and other diseases. Even the more highly paid weavers show a physique little different from that presented by the general labour force of this industry. The health of the women workers is of an even lower grade. Mill work added to the cares of family life in a wretched environment lays them open to infection, and tuberculosis is common.

Bengal Jute Mill Workers.

Among the Bengal jute mill workers the general standard of physique is only fair, but here also remarkable differences are evident. Operatives from up-country are usually sturdier than the Bengalis and evidence indicates that the emigrant from North India ordinarily resists industrial fatigue well, his diet and constitution standing him in good stead. The workers from the United Provinces and Bihar compare favourably with the Madrasi, who seldom possesses a high grade of physique, but it was definitely stated that the local man was the worst recruit from the physical standpoint. Even those outsiders who have permanently settled in Bengal for a number of years seem gradually to deteriorate in general build and constitution, and this may be attributed to deficiencies in diet, to trying climatic conditions and to the wider prevalence of malaria and other diseases.

Iron and Steel Workers.

In Jamshedpur the workers come from all parts of India whilst comparatively few have settled down. As a consequence wide variations in physique are to be seen. The tendency of those who have settled, however, is said to be towards improved standards, due to regular work, better wages, better housing and open air conditions of living.

Miners.

In the mining areas the workers come from a hardy stock and both among men and women the physique is generally good, this being especially true of the Santals and Bilaspuris. No such generalisation

however, can be applied to the miners employed in Giridih. The health and physique of the population in this area is obviously of a low standard and presents a contrast to the miners in neighbouring colliery districts. Among the *beldars* employed on surface work the physique is also of a much lower grade. The satisfactory physique of the Santals is attributed to a better dietary and to the fact that they return regularly, often every week-end, to their village homes. Other groups who live more permanently in the mining areas present a much less healthy appearance and a distinctly lower grade of physique.

Railway Employees.

Railway employees generally undergo a medical examination prior to engagement, but whilst most of the railway managements report that the general physique of their workers is satisfactory, there is considerable evidenee to show that on certain systems this is not the case. On sections of the Eastern Bengal, Assam Bengal and Bombay, Baroda and Central India Railways in particular, the problems associated with health are especially difficult, whilst differences in dietary produce the same variations already noted among other classes of industrial labour. In the railway workshops, as might be expected, the standard is generally higher, although no common level obtains.

Dock Labourers.

Of all industrial workers, dock labourers probably present the highest grade of physique. On such work, indeed, the necessity for physical fitness acts as an important selective factor, which prohibits the recruitment of any but the strongest men. Moreover, the nature of their work compels them to spend more on food and to adopt a generous diet, whilst most of their working hours are spent in the open air. In Bombay it appears that the average duration of service among dock labourers is not more than 10 years, age or failure of strength enforcing retirement and replacement by younger and fitter men.

Seasonal Factory Workers.

Workers employed in the seasonal factories are, for the most part, drawn from the neighbouring agricultural villages. Although part of their working time is spent indoors and often in a dusty atmosphere, there is not the same necessity for the concentration essential in many of the large industrial concerns. Moreover the work is of a temporary nature and demands little change in the habits of those employed in it. The physique of these workers, therefore, shows little difference from that of the agricultural classes from which they are drawn.

This brief review of the health conditions of the chief groups of Indian industrial workers reveals the difficulties of making any general summary of the position as regards standards of physique and general health. Impaired physique and defective diet are, however, features common to many and the severe handicaps to industrial development which these factors represent demand attention from all concerned.

The Problem of Population.

We cannot leave these questions of health and physique without referring to yet another factor, the importance of which has increasingly impressed itself upon us. High as is the general death rate, the rate of natural increase in India is still sufficient to add large numbers annually to the population. Increased production of food ultimately effects little improvement in the standard of living or in the quantity of foodstuffs available, since the population quickly multiplies under these favourable conditions. Formerly war, famine and pestilence were all active in reducing the numbers for which the land had to provide sustenance; war and famine have been largely negatived as active influences, whilst deaths from pestilence have been considerably reduced. The result is a steadily growing pressure on the land, which compels increasing numbers to migrate from the agricultural villages to urban and industrial areas in the hope of finding employment. This increasing migration is probably not a little responsible for the beginning of an unemployment problem in the latter places and for the keen competition for available work. We are not alone in holding that this factor exerts considerable influence in depressing the general standard of living, and it is one which must always be remembered when considering the other problems with which we are dealing. It calls urgently for studied attention from economists and others interested in the welfare of the peoples of India.

Vital Statistics.

Although more than one attempt was made to give us vital statistics for groups of industrial workers, none of these gave a picture sufficiently accurate to demonstrate any relation between industrial activity and increased death rates. This is not a matter for surprise when it is remembered that, even in the larger towns, few sick persons see a doctor and certification of death is usually a matter of guess-work on the part of a non-medical registrar. Moreover, deaths are registered under one or other of only six or seven heads, three of these being small-pox, cholera and plague, so that by far the largest number is entered under "all other causes". Lack of appreciation of their value in public health and of training on the part of the individuals responsible for their collection lead to the continuance of grave inaccuracies in such records. Again, in industrial areas the influx of large numbers of young males changes the age-distribution to a marked extent, and the failure to apply the necessary correction factor, before comparing them with other areas where the population is distributed more normally over the different age and sex periods, makes fair comparison very difficult. There is, therefore, little chance of obtaining reliable statistics for special groups such as industrial workers and, in consequence, we have been unable to make any estimate of the effect of industrial life, as distinct from urbanisation, on the death rates of these communities. Curious variations prevail in the methods of registering still-births throughout the different provinces. We recommend that still-births should be excluded from both birth and death registers and that they should be separately recorded. Only when this

is done will it be possible to obtain the useful information which these figures should provide.

Sickness Statistics.

We met with even greater difficulties in connection with the incidence of sickness among industrial workers. Few employers know the rates of sickness among their workers, and little is known of the amount of sickness in the general population. The records of hospital out-patient departments and of dispensaries refer to the general population living in their vicinity. Even where a particular industrial concern maintains its own medical staff and dispensary, the Indian worker frequently absents himself from work without reporting to the factory doctor. In a number of industrial concerns it is necessary to keep an additional 10 per cent of workers on the wage-books as substitutes to fill the places of absentees, but neither this figure nor the figures for absenteeism can be used as a basis for estimating sickness rates, since the Indian worker stays away from his work for many reasons besides sickness.

Inferences from Available Figures.

Erroneous though they are, the registered statistics show that birth rates generally are extraordinarily high as compared with those prevailing in Western countries, and both general and infantile mortality rates are correspondingly high. The general death rate in India, on a conservative estimate, may be taken to be between 30 and 35 per 1,000. It is known that the average expectation of life at birth is only about 25 years, as compared with over 54 years in Great Britain. These two figures, although approximate, make it certain that sickness rates for the general population are several times higher than the corresponding rates in Britain. This brings us no nearer an estimate of the actual rates among industrial workers, but it is certain that sickness and disease exact a heavy toll and detract from their efficiency and earning capacity to a marked extent.

Medical Registrars.

The necessity of improved vital statistics is generally recognised, and in several provinces marked improvements have been effected within recent years by stricter supervision and more effective inspection. It is essential, however, that municipal councils and local bodies, who are primarily responsible for registration, should devote much more attention to the matter. In the larger towns and the more important industrial areas, at least, the appointment of medical registrars should be compulsory since only then will it be possible to improve the classification of causes of death. This has already been done in certain areas and, as a result, special investigations which were previously impossible have been successfully carried out.

Institute of Nutrition.

We now consider some of the methods which should be adopted for improving the general health conditions of the industrial worker.

We have throughout been greatly impressed by the importance of the part played by defects of dietary. The questions of nutrition and dietary are subjects of constant research in most Western countries, and not a few Governments have deemed it advisable to found Institutes of Nutrition, in which the necessary investigations can be organised and carried out and through which co-ordination with outside research can be obtained. We visited the Deficiency Diseases Enquiry Laboratory at Coonoor, where Colonel McCarrison, I.M.S., under the auspices of the Indian Research Fund Association, has been engaged for some years past in nutritional researches. The Royal Commission on Agriculture has indicated the directions in which they consider his work should be linked up with agricultural research problems, and we support their recommendation that India should have an Institute of Nutrition of its own. While we were struck with the advances which had already been made by Colonel McCarrison, it was obvious that his staff was quite insufficient for the purpose we have in view. The Institute should have a Director with a sufficient number of qualified assistants, so that the work so well begun can be extended on a scale more commensurate with India's needs. Publicity work should be a legitimate sphere of activity of such an Institute, because the Indian worker, both industrial and agricultural, requires guidance in regard to his diet. It should be impressed on all concerned that the health and, in a large measure, the happiness and contentment of the workers are bound up with this question, and that, to quote Colonel McCarrison, " the output of work by the human machine is closely related to the quality of the food with which it is provided." The propaganda material required for these purposes could best be prepared under the supervision of the Director of the Institute of Nutrition in consultation with provincial Public Health Departments.

Markets and Co-operative Stores.

We noticed a general lack of care over food supplies. In few industrial areas are the markets sufficient in number, and those we saw appeared to receive little sanitary supervision. All kinds of food grains, vegetables and fruit are exposed for sale in such a way as to become quickly contaminated, and in many areas are retailed on the road side and in the vicinity of the street gutters. In all urban and industrial areas the local authorities should construct sanitary markets on convenient sites and take steps to ensure that the food brought there for sale is protected, as far as possible, from contamination. It would also be of advantage, at least in the larger industrial areas, for employers and trade unions to organise co-operative shops at which pure and clean food of all kinds could be obtained. The managements of the Buckingham and Carnatic Mills in Madras and the Burma Corporation in Namtu have made very successful experiments of this nature which are highly appreciated by their employees. The workers are advantaged not only in the quality of the food obtainable, but also in its cost in relation to general market prices.

Food Adulteration.

Adulteration of Foods Acts have been passed in only one or two provinces, but these Acts are applicable to municipal areas, only if the municipal councils concerned agree to their adoption. We believe that such Acts should be in force in every province and that local Governments should endeavour to make their provisions more widely applicable. At present the lack of adequate standards of purity make it only too easy for merchants to sell adulterated food supplies. Milk, *ghi* and butter, all valuable foods when pure, are thus abused to an incredible extent, and the ordinary purchaser is left unprotected. Without legislation for the fixing of standards it is almost impossible to obtain a conviction for adulteration, and severe penalties should be laid down for offences of this nature. In addition a clause regulating the importation and sale of condensed skimmed milk, large quantities of which are sold to working-class mothers as food fit for infants, should if possible be incorporated in them.

Industrial Hygiene.

Although individual research workers have been able to throw gleams of light on certain aspects of disease, there remain unexplored wide regions, particularly in the industrial field. In the more industrialised provinces Public Health Departments should be strengthened to deal with industrial hygiene and industrial disease. At least one of the Assistant Directors of Public Health should have a special knowledge of these subjects and be capable of advising industrial employers on matters affecting the health of their workers and of carrying out special investigations in the industrial field. Little work has so far been done in India in this branch of preventive medicine, and we heard with regret that the one attempt made to organise such a branch in the Bengal Public Health Department was abandoned within six months on account of retrenchment. In this connection the Public Health Commissioner with the Government of India has emphasised the necessity for the creation of a central bureau or a division of industrial hygiene in any development of the central health organisation of the future.

Industrial Disease.

Although the majority of witnesses assured us that industrial disease was seldom brought to their notice, we are satisfied that further investigation is necessary. We anticipate that here, as in other countries, when skilled observers are set to work, the usual diseases associated with industry will be found to exist, their non-detection possibly being due to the fact that they are either never seen by a medical man or, if seen, pass unrecognised and undetected. It is difficult to believe, for instance, that cases of anthrax never occur among workers in leather, hides and skins when the anthrax bacillus has not infrequently been found in tanneries and in parcels of hides prepared for export. In another chapter we suggest additions to the list of industrial diseases scheduled

in the Workmen's Compensation Act. This Act is of use from the preventive side, as it not infrequently brings to light conditions whose causation and prevention require investigation. Whilst recognising that compulsory notification of industrial disease is the best method, we consider that the time for its introduction in India has not yet arrived, and we recommend that the medical inspectors of factories and mines, whose appointment has been suggested elsewhere, should be instructed to devote special attention to the subject.

Industrial Health Research.

The industries of India are now of such importance to her economic welfare, and world competition has become so keen, that it is necessary for industry to be conducted upon the most efficient basis possible. To achieve this end conditions detrimental to the health and well-being of the worker must be eliminated. Yet it is not always easy, even for experts, to separate cause and effect when dealing with conditions in the factory itself. In Britain, towards the end of the war, when the many implications of industrial fatigue were beginning to be realised, a Research Board was constituted to investigate the causes and effects of such fatigue in relation to long hours of work, the nature of the operations performed, the surroundings in which they were carried out and the physical conditions imposed thereby. As this work developed, it was inevitable that wider problems should be the subject of investigation, and recently this body has been re-named the Industrial Health Research Board. In a number of directions the investigations have enabled the formulation of definite conclusions of value to industry generally as well as to particular classes of manufacture. Examples of these are researches indicating the importance of scientifically designed and well-adjusted lighting in factories and the establishment of definite seasonal variations in the output of men engaged on heavy muscular work. The study of causes of sickness and absenteeism which underlie the wide variations observed in different industries has also added greatly to the knowledge which previously existed on this subject. These are only a few of the investigations which have already enabled certain branches of industry to adopt changes in practice which have led to increased efficiency.

Agency for Industrial Research in India.

Except in a few instances, it would be impossible to apply deductions made from researches in the industries of Western countries even to the same problems in similar industries in the East; moreover, problems unknown in Britain call for solution in the industrial field in India. We are anxious not to multiply agencies. The best way of arranging for the necessary research in India would be to entrust it to the Indian Research Fund Association which is already in existence. This work appears to have a claim for special assistance from Government, and it might be possible for employers' associations to finance investigations of this character in the industries in which they are particularly interested. A staff of trained investigators—not all medical—and one or

more statistical officers will be required. As in Britain, the staff need not be large, and the necessary specialised training can be acquired after appointment. We therefore suggest that the Association should send suitable candidates, holding the necessary preliminary qualifications, to Europe for their initial training. When the nucleus of a trained staff has been obtained, Indian industry should be able to secure research into the effect on output of hours, temperature and other factors, the suitability of the present meal and rest intervals for the Indian worker, the relations between fatigue and accidents and other problems of a like nature that the conversion of an agriculturalist into an industrialist makes peculiarly important in this country.

Health Administration.

In some provinces a great advance has been achieved during recent years in the organisation of their Public Health Departments, but Madras Presidency is the only province which so far includes a woman Assistant Director in its Public Health Department. We recommend that, particularly in the more industrialised provinces of Bengal and Bombay, such appointments should be made. The organisation, co-ordination and supervision of all forms of welfare work among women and children require expert control, and we feel that this can only be obtained if the initiative in these directions is definitely taken by local Governments. In addition, every provincial Public Health Department should be strengthened by the appointment of a trained statistical officer to take charge of all statistical records and to carry out special investigations in regard to the incidence of sickness and disease in special areas and for special groups of the population. For some years past health propaganda work has been developed in most provinces with success. There can be no question as to the necessity for greater extension of that form of education both by Government and local authorities. Every municipal area, also, should have its own Medical Officer of Health and an adequate sanitary staff. Under the existing Local Self-Government Acts municipal councils have been given almost complete responsibility for public health, but in many of the areas visited by us we were unfavourably impressed with the standard of health administration and with the manner in which these duties have been performed. Health Officers are to be found in most of the larger municipalities, but their work is too often ineffective, because they have incomplete control of the health organisations or because their recommendations fail to receive active consideration from their councils. It is important that security of tenure for these officers should be ensured and, to obtain this, we recommend that they should belong to a Government cadre, although their salaries and allowances should be a charge on municipal funds. In all extra-municipal areas where industry is being developed, a similar health staff should be at work, as it is particularly in such areas that strict supervision should be maintained from the start. Greater pressure could be exerted on local boards and municipalities by local Governments, if the practice in force in Great Britain were adopted of giving percentage grants towards expenditure on health measures.

Public Health Acts.

It is generally recognised that the first comprehensive Public Health Act, brought into force in 1875, made possible the marked advances in public health which have taken place in England since that date. Although sections dealing with public health matters find a place in every municipal and local boards Act in India, these are in many respects disconnected and incomplete, and public health legislation requires considerable amendment and addition. We consider that the time is ripe for the passing of comprehensive Public Health Acts in all provinces.

Water Supplies.

The first necessity of any community is a suitable water supply. In this direction many employers have given a lead. A number of the jute mills have provided piped water in the adjoining housing areas, whilst, through the agency of a Water Board constituted for the purpose, the mining industry in Jharia has provided an elaborate water supply at a cost of 90 lakhs. Other industrial concerns have sunk tube wells and artesian wells with satisfactory results. In all these areas and where municipal councils have introduced piped supplies, water-borne disease should ordinarily give little trouble. Even where piped water is available, however, the distribution is often unsatisfactory, and this difficulty is enhanced by the general waste of water by the workers. Either there are too few taps or there is an intermittent supply or the system has not been extended to those areas, so that shallow wells and tanks have to be used. These conditions all favour outbreaks of water-borne disease. Where piped water supplies are not yet provided, it becomes all the more necessary to ensure that every precaution be taken to keep available supplies as pure as possible. Tube wells might be more frequently employed and, if surface wells must be used, they should be kept in good repair and regularly inspected by the sanitary staff. Where an industry begins to develop in a new area previously sparsely populated and devoid of any protected water supply, it should be the duty of the employers to provide suitable water for their workers. Where, as frequently happens, the development takes place on the boundary or outskirts of a municipal area, we consider it would be of advantage for the municipal council and the industry to co-operate in order to avoid competition for available sources.

General Sanitation.

Even with a safe water supply, bad sanitation creates conditions favourable to the spread of disease. In many of the housing areas we visited sanitary conditions were deplorable and were bound to have the most detrimental effect on general health. With better organisation of health departments and sanitary staffs, improvements in this respect should be secured. We must also remark on the great lack of latrine accommodation in every industrial area we have seen.

It is well known that hookworm infection and hookworm disease exist to a considerable degree over large parts of India, and the serious effects of this parasite on the physical health and efficiency of the worker are equally well known. In a few centres attempts have been made to carry out periodical mass treatment of the workers, but little has been done to prevent re-infection by providing sanitary conveniences of acceptable types. Most of our medical witnesses and some employers have assured us that the Indian worker can be persuaded to use latrines if these are kept in a decently sanitary condition, and our own observations confirm this verdict. An incident brought to our notice in Howrah illustrates this point. The septic-tank latrines provided in the mill *bustees* are used to such an extent by outsiders living in the vicinity that it is found necessary to close them periodically in order that they may not be put out of action by over-use. It was not surprising that the workers refused to use the filthy accommodation often placed at their disposal. This is a matter which can be corrected without great expenditure, judging from the success obtained in several areas. Local bodies and municipal councils are responsible for the provision of latrines in the housing areas under their supervision. More vigorous action on their part, with the co-operation of employers, would meet with a response from the workers and would result in their attaining a higher standard of health and a correspondingly greater efficiency.

Malaria.

The toll of life exacted in India every year by epidemic diseases is still very high, and of them all malaria is perhaps the most devastating. In paragraphs 411 and 412 of the Report of the Royal Commission on Agriculture will be found statements and recommendations with which we agree whole-heartedly. In municipal areas like Bombay the control of malaria is no new problem, nor in many cases is it difficult of solution; but we have found that only too often action on health matters ends with the holding of an investigation and the writing of a report, little effort being made subsequently to carry out even the simplest of its recommendations. We are in agreement with Major Covell, who made a special investigation in Bombay in 1929, that " it is only through concerted action on the part of the people themselves, with the guidance and assistance of the State as far as its limited resources in men and money may allow, that a substantial measure of success in controlling malaria can be achieved ". During our tours we could not fail to be impressed with the tremendous importance of malaria in connection with the health of the industrial worker, and in our opinion it would pay both Government and employers to initiate a much more active policy of prevention than has hitherto been undertaken. Every provincial health department should include a malariologist on its headquarter staff, who would not only advise municipal councils and employers on malarial problems, but would train medical officers and others in the principles of anti-malarial work. Effective reduction of the incidence of malaria can be secured by such methods, especially if they are combined with the extended cultivation of cinchona, as recommended by the Agricultural Commission.

Anti-malarial Work.

Our remarks as to the action to be taken by municipal and other local bodies apply with equal force to railway authorities and to those responsible for the control of health in the mining areas. In both cases a great improvement in the health of the workers could be effected with the inauguration of more vigorous anti-malarial work. The Bengal Nagpur Railway management has found it an economic proposition to employ a full-time malariologist for purposes of research and to advise its engineers on the carrying out of anti-malarial measures. We recommend this policy for general adoption by railway companies, as in many centres malaria causes a great deal of unnecessary suffering and illness among the staffs, in addition to detracting heavily from their efficiency. Some railway authorities stated that they would be willing to carry out anti-malarial activities in their areas if and when the local municipal councils became similarly active. We believe this negative attitude to be largely responsible for the lack of progress in preventive work of great urgency, and we suggest that railway administrations should be ready to give a lead in this connection. In the mining areas the Boards of Health and Welfare would find it of similar advantage to extend their preventive work to include malaria. For this purpose the medical staff of each Board should include an officer with expert knowledge of the disease and its prevention.

Existing Medical Facilities.

In India the provision of hospitals, dispensaries and medical treatment has been made mainly by the State, although a number of municipalities and industrial concerns have their own medical institutions, the former aided by lump-sum grants from Government. In addition a number of small hospitals are maintained by religious and charitable bodies. Only recently has there been any considerable body of independent medical practitioners, but these tend to be concentrated in the populous centres. With the development of industry in different parts of the country, a new situation has gradually arisen which has three different aspects requiring consideration. The first is where industry has grown up by degrees in the centre of a large town, the numbers employed in the industry being only a fraction of the whole population. In such cases workers are accustomed to utilise the medical facilities already available to the general population. In Bombay, for example, the employers, with few exceptions, have considered it unnecessary to provide additional facilities for the treatment of sick employees. At the same time it was made clear to us that the existing number of hospital beds is quite inadequate to meet the city's needs. The second is where industry has developed in a particular area to such an extent that the industrial workers constitute the bulk of the population. In many such cases the local hospital, originally intended to meet a far smaller need, has not attempted to cope with the steadily increasing population. The third case is where a new industrial concern is started in a rural area remote from any existing medical institution capable

of dealing with the large number of new-comers attracted by opportunities for employment.

Employers' Efforts.

In the first two cases medical facilities have not expanded with anything like the necessary rapidity to meet the needs of the increased populations, and in most centres the civil hospitals and dispensaries and the municipal medical institutions are incapable of serving more than a proportion of those in their vicinity. This position has been relieved in certain areas by the assumption on the part of employers of responsibility for the provision of medical aid for their own employees. Some of the jute mills on the Hooghli, for example, have provided admirably planned medical organisations; these are used not only by the employees and their families, but by large numbers of persons unconnected with the industry. We have seen nothing in India to excel the medical organisation and hospital equipment provided by the Angus Jute Mill Company for their workers, and special tribute must be paid to the management of this industrial concern for their work in regard to medical attention and welfare. Many employers, whose industrial concerns were within reach of municipal and Government hospitals, have also made provision, often on a generous scale, for their own labour forces. Others have instituted small dispensaries attached to their works, sending patients suffering from serious illness to the local Government or municipal hospitals. In such cases the firm may either give a substantial annual donation to the hospital or pay the hospital charges of all its employees admitted for treatment. Still other industrial concerns have made no medical provision of any kind for their workers, their contention being that the whole responsibility for the provision of such services should properly lie with the municipalities or local bodies concerned. We believe that those employers who have taken a more humanitarian view have found that their action has had valuable effects on the efficiency of their establishments. Many of the medical organisations in industrial compounds are worthy of great praise and are clearly responsible for a considerable increase in the health and happiness of the workers and their families.

Medical Facilities in New Areas.

As regards enterprises of the third category, which pioneer in areas hitherto undeveloped, such as the Tata Iron and Steel Company at Jamshedpur and the Burma Corporation at Namtu, we are of opinion that, at least in the initial stage, the responsibility for medical aid must rest with the industry. It would obviously be impossible for either Government or a district board to accept immediate responsibility for medical and health facilities for a large newly transported population of this kind. This fact has been fully recognised in the two cases we have instanced, where large hospitals with generous medical and nursing staffs and equipment have been provided at the entire cost of the industries. Similar instances came to our notice in other parts of India.

Survey of Industrial Areas.

Whilst the need for extension and expansion of the existing medical facilities cannot be over-emphasised, only limited success has followed the repeated efforts made to rouse public opinion and to induce municipal councils to face the problems associated with adequate medical relief of the people. The time has come when the whole position in urban and industrial areas should be surveyed and an estimate made of the requirements of each, due consideration being given to already existing facilities, whether Governmental, municipal or industrial. We recommend that these surveys should be made by the Government medical departments through their Civil Surgeons and that the information thus made available for each area should be considered at a joint conference of representatives of the three interested parties. While the primary responsibility will and must remain with Government and the local and municipal authorities, we believe that in many cases the employer would prefer to provide medical facilities for his own workers, if he were given some assistance and co-operation from Government and the local authorities. In other cases, with or without aid from Government, the local authority might provide the additional facilities required and recover the cost involved by increased taxation. Decisions on these and other methods could best be made at the conferences we have suggested, as we regard co-ordination of effort to be essential. With the additional powers reserved to themselves under the new Public Health Acts, it should be possible for Governments to ensure that effective steps are taken to provide early relief in the more needy areas. Governments could also enhance general progress by making percentage grants for such additional facilities as they approve. This method to which reference has already been made, would give Governments power to supervise and inspect and to insist on minimum standards. In our opinion it is greatly to be preferred to the system of giving lump-sum grants without subsequent supervision, as it not only maintains a measure of control, but also necessitates the raising of an equivalent amount by local taxation.

The Scope of Welfare Work.

Some of those who have considered the question of raising the standard of living have been impressed by the possibilities which are offered by welfare activities, with their indirect effect on that standard. We believe that there are great opportunities for the extension of welfare work in India, and that in few directions is expenditure of money and thought so certain to give valuable results. There are benefits of great importance which the worker is unable to secure for himself, such as decent housing, adequate sanitation, efficient medical attention and the education of his children, and an advance of State activity should be looked for in these directions. There is a difficulty in that the industrial workers form only a small fraction of the population and it is difficult to justify any elaborate and expensive extension of State services for their exclusive benefit. In present circumstances, therefore, further

advance must depend to a considerable extent on the co-operation of employers with other sections of the community. It is precisely the fact that the workers have been brought together in an industrial area which creates many of the problems of health, housing, recreation, etc., with which they are faced. For this reason, we are strongly in favour, at the present juncture, of a more general extension on the part of the employer of welfare work in its broader sense. It is advisable to remember that there is a danger in giving to welfare what should go in wages and so depriving the worker of independence and of the educative experience which comes from having a margin after necessities have been met. But ordinarily there is no question of choosing between raising wages and developing welfare activities. Employers who have done most in the way of welfare work do not usually pay lower wages than their neighbours. Indeed, welfare work is generally associated with wages higher than are paid in corresponding establishments where no such work is attempted. Extensive welfare schemes may be regarded as a wise investment which should, and usually does, bring in a profitable return in the form of greater efficiency.

Welfare Schemes.

In recent years the development of welfare schemes in some of the larger industrial centres has received considerable attention from a number of employers. Although some of these schemes are still at an elementary stage, many have made considerable advance and a few are models of their kind. In this field as in others, the Buckingham and Carnatic Mills in Madras have given a lead to the rest of industrial India. Their manifold welfare activities include schools, meal-sheds, a co-operative society, workmen's stores, an ambulance corps, athletic associations, a work-people's institute and club, a dramatic society, a literary and debating society and village committees or *panchayats*. We were particularly impressed with the educational facilities provided by this company, which included a sound elementary course, some technical classes and training in hygiene. These welfare activities demand the full-time services of a secretary, assistant secretary and games superintendent in addition to a highly-qualified teaching staff, but the management is of opinion that the results obtained have justified the expenditure involved. The British India Corporation in Cawnpore has also devoted much time and thought to the welfare of its workers. In its housing settlement at McRobertganj it has provided boys' and girls' schools, play grounds, dispensaries, maternity and child welfare centres, club-rooms, wrestling pits, a community hall, a segregation hospital, a home for widows, a central office, woodyards and shops, whilst local self-government is effected by a *sadar panchayat*. The Empress Mills in Nagpur employ a full-time welfare officer who has successfully developed a number of activities. These include refreshment shops in the mills, meal-sheds, co-operative stores, a co-operative credit society, maternity benefits, creches, a boy scouts organisation, recreations and amusements of different kinds and an extensive educational scheme. This last commences with nursery and kindergarten classes for infants up to 6 years of age, and provides primary

schools for children from 6 to 12 years, industrial classes for boys over 12 years and factory schools for half-time workers, whilst yearly contributions of about Rs. 3,500 are made to other schools attended by the children and dependants of employees. The management is satisfied that there is a distinct desire for education of the children, and that this and the other welfare activities have tended to create a better outlook on life among their employees. In Bombay, Ahmedabad, the jute mills area and Yenangyaung less ambitious welfare schemes have met with considerable success. Some employers, however, have lacked vision and others money; these have pointed to the more or less experimental nature of the enterprises already embarked upon and the handicap from which they suffer owing to the worker's tendency to be suspicious of anything new, even when it is to his advantage. We do not attempt here to define the term "welfare" as applied to the industrial worker. It is one which must necessarily be elastic, bearing a somewhat different interpretation in one country from another, according to the different social customs, the degree of industrialisation and the educational development of the worker. We have endeavoured throughout our report to survey the field and to emphasise the wider aspects of the problem. We now use the term in its narrower and more specialised sense, with special reference to the industrial woman worker and her child.

Women Doctors.

Indian women are generally unwilling to avail themselves of the services of male doctors, and wherever a hospital organisation of any size exists, whether it be provided by an employer or by a local body, the addition to the medical staff of a woman doctor is to be commended. Such an appointment immediately changes the outlook of the women towards the medical facilities placed at their disposal. A woman doctor is not only able to take complete charge of the women's and children's department, but can very frequently get serious cases into hospital which would not otherwise be brought. The development of women's clinics, the management of maternity wards and the supervision of child welfare centres and creches are all legitimate and desirable expansions of medical and welfare work, which only become possible when a woman doctor is available. She should also be able to supervise the trained midwives practising in her area, and even to gain the confidence of the untrained *dais*, thus in time raising the standard of their work. Indeed, she should be in control of all activities dealing with the health and welfare of the women and children. Medical women are increasing in numbers throughout India, and we feel sure that, if appointments of the kind we suggest were made available, many of them would be attracted to the industrial areas with their opportunities for successful careers.

Health Visitors and Child Welfare Centres.

The figures we have been able to obtain for infantile mortality indicate only too clearly the necessity for a wide expansion of child welfare and maternity relief organisations. The need for trained health visitors

is no less great. In more than one centre in India we have seen the attempts being made by voluntary organisations, such as the Red Cross Society in Calcutta, to provide training for health visitors, and these pioneer efforts have demonstrated the possibility of obtaining suitable women for work of this kind. It may not always be necessary for Governments to open their own training schools, although this has been done in two provinces, but we think that the time has come when the training should be standardised by instituting a Government diploma which should be the recognised qualification required of all women aspiring to such posts.

In a number of municipal areas and in certain industrial concerns a beginning has been made in the development of child welfare work, and instances came to our notice which enable us to appreciate the results to be achieved by women working almost single-handed. We have also seen excellent work in progress in centres organised by the more progressive employers, those of the Cawnpore Woollen Mills, the Empress Mills in Nagpur and a few of the jute mills deserving of special mention. But these efforts are unfortunately isolated and few in number and, more often than not, they have failed to develop along proper lines because neither trained health visitors nor medical supervision by a woman doctor were available. Both are essential if welfare work of this nature is to succeed. For the larger cotton and jute industrial areas we commend the suggestion made to us that a group of mills or factories should combine to form a scheme in which each mill has its own welfare centre and health visitor, medical supervision and control being carried out by a woman doctor paid for by the group. Where single units are of great size, as in the jute industry, the management may prefer to have the full-time services of a woman doctor. This has been done by the Angus Jute Mill Company with great advantage in connection with both medical and welfare work. We have already recommended the appointment of a woman Assistant Director of Public Health in certain provinces for the organisation, co-ordination and supervision of all forms of welfare work among women and children undertaken by public authority. Her advice should also be at the disposal of employers desiring to initiate and develop welfare schemes for their women employees. We suggest that, as in the case of medical facilities, it should be possible, at least in the larger industrial areas, for Government, local authorities and industrial managements to co-operate in the development of child welfare centres and women's clinics. In some cases the employers might prefer to carry out their own schemes, but in each area the co-operation we have suggested should make it possible for municipal councils, in developing their own welfare schemes, to take cognisance of employers' efforts and so plan their organisations as gradually to meet the needs of the whole community. For approved schemes, financial aid in the form of percentage grants should be given by Government. Acceptance of grants would imply inspection and supervision and the maintenance of a reasonable standard of efficiency, while the financial help would supply the impetus to progressive advance which is at present so generally lacking.

Employment of Trained Midwives.

In addition to health visitors, trained midwives are essential so that the activities of the untrained *dai* may be restricted. It has been the policy of some provincial Governments to utilise their maternity hospitals as a training ground for suitable women, and in Madras, for instance, numbers of qualified midwives pass out annually from these hospitals. Some employers have also recognised the benefits to be obtained from trained women. The Eastern Coal Company in Jharia have for some time past employed trained midwives and have recently appointed a maternity supervisor who has been engaged in training indigenous *dais* and attending women and children. For some years the Asansol Mines Board of Health has maintained three certificated midwives to give free attendance and advice to the women of the mining settlement, and during 1930 an experimental scheme for the training of *dais* at two selected centres was sanctioned by the Board. If maternity relief schemes for women workers are to succeed, trained midwives must be obtained to work in the child welfare and maternity relief centres under the health visitor, to attend confinements in the houses of the workers and to call in skilled help where necessary. Indeed, even with a woman doctor on the staff of the municipal or local board hospital, the medical service provided is incomplete without a number of these trained midwives, whose work outside should be linked up with the maternity wards and with the women's clinics.

Maternity Benefits.

In some of the larger industrial concerns employers have voluntarily introduced maternity benefit schemes for their women workers, but, except in Bombay and the Central Provinces, where Acts of limited application have been passed, there is no legislation on the subject. As most people now accept the principle of maternity benefit for industrially employed women, it is unnecessary to put forward here any special plea for such a scheme. The general standard of life being so low, there can be little doubt that some form of maternity benefit would be of great value to the health of the woman worker and her child at a vulnerable period in the lives of both. We do not attach importance to the argument that compulsory maternity benefits will result in employers reducing the amounts already being paid to the minimum laid down by law. Most pioneers in the field of social betterment are not deterred by enactments compelling others to follow in their footsteps. Nor do we attach weight to the argument that legislation will result in an appreciable restriction of the employment of women who are an essential part of certain of the leading Indian industries. We believe the time is ripe for the introduction of legislation throughout India making a maternity benefit scheme compulsory in respect of women permanently employed in industrial establishments on full-time processes. We would exempt from such provisions seasonal and part-time workers and would confine legislation to those women employed full time in the perennial factories covered by the Factories Act. Some of us would like to see the legislation extended to women employed at the mines and on the docks,

but the majority doubt whether the number of women in those industries likely to qualify for benefits is sufficient to justify this step.

Financial Aspect of the Scheme.

Where maternity benefits form part of a complete State insurance scheme, no difficulties arise in obtaining contributions from industrially employed women, since these contributions are paid throughout against the incidence of sickness in general, including periods of confinement. In the absence of a State system of social insurance, however, the question of obtaining contributions from women to a maternity benefit scheme is not easy to arrange. There are two ways in which a woman could be asked to bear her share. The first method would involve payment of contributions throughout her working life; this would mean, not only prolonged payment even beyond child-bearing age, but also payment by women who could not or did not have children. The second method would require the women to pay a fair contribution during the actual period of pregnancy; this essentially involves early certification of pregnancy, and in our view the lack of women doctors, together with the reluctance of the Indian woman to consult a male doctor, makes the plan impracticable. Under present circumstances we do not recommend that the woman worker should be asked to pay any periodical contribution. While a system involving State contributions or Government grants is desirable and would not be administratively impracticable, it is more than likely, in the absence of any general scheme of sickness insurance of which maternity benefits would form an integral part, that it would involve a disproportionate administrative cost. At this stage, therefore, we suggest a more general extension of the schemes already in operation in Bombay and the Central Provinces. In those the entire cost of the benefit is borne by the employer, and we recommend that, in the first instance, the proposed legislation should follow these lines. Government should have the power to exempt individual firms whose existing schemes are shown to be at least as liberal as those laid down in the Act. In the event of any general scheme of social insurance being adopted, maternity benefits should be incorporated and the cost shared by the State, the employer and the worker.

Amount and Period of Payment of Benefit.

The Central Provinces Maternity Benefit Act provides for benefit at the rate of the woman's average daily earnings, calculated on the total wages earned during a period of three months preceding the day of her confinement, or at the rate of eight annas per day, whichever is less. This seems suitable for general application. We recommend that the maximum period for which any woman shall be entitled to the payment of maternity benefit be four weeks up to and including the day of her delivery and four weeks following that day. The Act might include an injunction that an employer shall not knowingly employ a woman within four weeks after childbirth. We are aware that a similar clause in the British Factory Act proved difficult to enforce, but

social custom and economic conditions differ widely in the two countries. We received evidence that in parts of India women returned to work with the same employer only a few days after childbirth, and the payment of maternity benefit may not at first be sufficient to restrain such early return. The qualifying period of employment might be fixed at twelve months, but it should in no case be less than nine months.

Benefits and Medical Facilities.

The more closely the benefit can be linked with medical treatment the better. This will obviously be less easy in the case of factory workers in large industrial towns than in the case of workers for whom hospital facilities are provided by the employers. Probably the best method is to give the woman a maternity benefit in any event and an additional confinement bonus only if a trained midwife is employed or hospital treatment is adopted. We do not think that failure to use existing facilities, whether municipal or private, should disqualify the applicant. The benefit and bonus together should not exceed the amount laid down in the Act. The administration of the Act should be entrusted to the factory inspection staff and, wherever possible, to women factory inspectors. The Women's Medical Service might profitably be asked to survey the field and to advise those local Governments most affected as to how maternity benefit schemes under the Act could best be combined with existing medical facilities.

The Need of Provision for Sickness.

The question of making provision for workers during sickness, even if it had not been previously raised by Government, would have been forced on us by what we found in every industrial centre. Of the great need of the workers for something of this kind there can be no doubt. By common consent the incidence of sickness is substantially higher than in Western countries; the medical facilities are much less adequate, and the wages generally paid make it impossible for most workers to get through more than a very short period of illness without borrowing. Indeed, sickness is an important contributory cause of indebtedness, with all that debt entails under existing conditions; for often, at his time of greatest need, the worker may find himself destitute of resources, unable to take proper measures to restore his health and in difficulties regarding even the means of subsistence. The situation calls for the exploration of all methods that may lead to the alleviation of the existing hardships.

International Labour Conventions.

These considerations were recognised by the Government of India in 1928 in considering the Draft Conventions and Recommendations on the subject of sickness insurance which had been adopted by the International Labour Conference in the preceding year. They stated that they were satisfied that the introduction in India of any comprehensive scheme on the lines of the Conventions was not practicable

in existing conditions. But, after observing that they were "in entire sympathy with the ideals" underlying sickness insurance legislation, they added "They are satisfied that the need of Indian workers for some provision is in no way less than the need of workers in other countries, and the problem, as it presents itself to them, is one of determining the extent to which the serious practical difficulties that must attend the introduction of any scheme can be overcome". The letter containing these views was addressed to local Governments, who were asked to investigate the question, the suggestion being made that the examination might be entrusted to small informal committees of employers and employees. The results of the investigation which have been supplied to us show that five committees were appointed. The Madras committee was unable to suggest any satisfactory scheme and favoured actual experiments. The United Provinces committee favoured a scheme for a general provident fund to provide not merely for sickness insurance but for unemployment, old age, marriages, funerals, religious rites, festivities and other "social events.". The Punjab committee recommended the application of a scheme of sickness insurance, but did not enter into details. The majority of the Central Provinces committee were emphatically of opinion that any scheme of compulsory insurance was unworkable in practice. A conference held in Burma came to the conclusion that the immediate introduction of even a limited scheme was impracticable. In replying to the Government of India, the Governments of the provinces in which these investigations were held all stressed the financial burdens involved in State assistance to any scheme. This was also emphasised by the Governments of the other major provinces except the Government of Bengal, who took no action in view of the impending appointment of this Commission. Neither this consideration of the question nor the further evidence supplied to us can be said to have brought a solution much nearer. There has been a tendency on the one hand to overlook the difficulties and on the other to be content with stressing them. That the difficulties in the way are formidable must be recognised. The main difficulties include following the workers to their villages, arranging for proper medical treatment there, and providing for medical certification, in order to enable workers to obtain extended benefits should sickness continue. The lack of faith in modern medical methods is still an important factor, and the administrative expenses likely to be incurred in working on a national or even a provincial scale a system of insurance based on Western lines would probably be extremely heavy. But none of these arguments diminish the need of the worker for provision during sickness.

Statistics of Sickness Incidence.

Unfortunately, the examination hitherto given to the subject has not provided what must be regarded as an essential preliminary to the framing of a satisfactory scheme. What is required is an estimate of the incidence of sickness among workers whom the scheme is designed to cover. Without this it is impossible even to guess at the cost of any benefits which it is desired to provide or, conversely, the benefits which

can be secured from any given contributions. The collection of the necessary material for the framing of an estimate, therefore, is the first task which should be undertaken. The amount of material already available is extremely scanty. In response to a suggestion from us, the Director of the Labour Office at Bombay kindly made an endeavour to conduct an investigation into the matter; but, having regard to the very short period of about three months over which the enquiry was made and a number of other special factors mentioned in his report, the result can hardly be taken as giving much guidance, even for the class of workers to which the enquiry related. What are required are figures showing the incidence of sickness for definite groups of workers over a comparatively long period, and it is unlikely that such figures will be easy to obtain. The railways and Government factories, most of which have schemes for the grant of leave on account of sickness, may be able to give some assistance; but in both cases workers are generally engaged after medical examination and thus represent a selected class. A number of employers have sickness benefit schemes, and their co-operation might be secured. It would be of special assistance if a few employers would agree to make experiments in the grant of sickness benefits either on a contributory or on a non-contributory basis, and to maintain records of their experience. But assistance secured from these sources will almost certainly require to be supplemented by special statistical enquiries in selected centres, and we recommend that these be instituted as soon as possible. The collection of the statistics should be made with expert medical and actuarial advice and with the co-operation of persons qualified either as employers or as representatives of labour. The preliminary enquiries might be conducted by the Government of India who might secure for the purpose from the Central Legislature a small informal committee, including representatives of capital and labour. These, with medical, actuarial and statistical assistance, should be able to advise regarding the nature of the statistics required, the centres in which they might be collected, the sources from which they should be obtained, and the means of obtaining them.

A Method of Attack.

We recommend that, thereafter, the question of framing schemes be referred to a carefully selected formal committee who might be instructed to examine the material and to make recommendations for the institution, if and where possible, of definite schemes. In the first instance, it may prove advisable to start on a small scale with a view to gaining experience. In instituting measures of this kind, there is a greater possibility of achieving success by building on an existing foundation than by introducing methods which are entirely foreign to the country. The British sickness insurance scheme, for example, was built on the broad foundation of the Friendly Societies with their years of accumulated experience. Nothing of the kind is in existence in India. On the other hand, there is, in certain directions, the nucleus of a different form of provision for medical and financial relief in cases of sickness. Government and many private employers already

provide medical facilities. In addition, most Government establishments make provision for the grant of leave with pay which can be utilised when the worker is sick. A few employers make some provision for the grant of sick pay and allowances, *e.g.*, the Bihar and Orissa Government stated in 1929 that in the Jharia and Raniganj coalfields, out of 214 working mines, 68 paid sickness allowances. Although the proportion of workers serving private employers who are provided with sickness benefits is extremely small, the Government schemes have made the idea fairly familiar in India. These schemes are non-contributory, but we have no reason to believe that the collection by employers of reasonable contributions from workers will be a matter of serious difficulty. Pursuing this line, we proceed to give the outline of a possible scheme and commend it for examination.

A Tentative Scheme.

This scheme is based on the assumption that responsibility for the medical and for the financial benefits will be separated. The former could be undertaken by Government, possibly on a non-contributory basis, and the latter through employers on the basis of contributions by themselves and by the workers. In India, the extension of medical facilities by the State offers advantages which are less likely to be secured by a scheme of private medical service based on a system of insurance, and the need of such extension is everywhere evident. It should not be difficult to devise arrangements whereby such medical services as are maintained by private employers may continue to operate in conjunction with a State scheme. Public expenditure directed towards the assistance of private schemes might in many cases produce more substantial results than equivalent sums devoted directly to State provision. So far as sick allowances are concerned, the employer might be required to deduct a certain percentage of wages, to credit this to a fund, and to add thereto contributions of an equivalent amount, or rather more in the case of the more poorly paid. Workers who had contributed to the fund for a minimum period, *e.g.*, one year, might, if certified as sick and likely to remain so for more than a specified short period, be granted sick leave. Provision might have to be made for some refund to those workers who left employment after subscribing and before they had been covered by the insurance for a reasonable period. The period of leave need not bear a strict relation to the duration of the illness, but could be fixed on some arbitrary lines, *e.g.*, to begin with, a fortnight in some cases and a month in others, and it would be subject to an absolute limit, *e.g.*, one month in any year. During the period of sickness, the worker would be entitled to a proportion of his wages which would be paid from the fund by the employer. In the initial stages it would be possible for the employer to appoint the medical officer who would grant certificates, but it would be necessary to ensure that the employer was not in a position to benefit from the accumulation of a balance in the fund. The supervision and audit of funds by the State would be necessary. After providing a suitable reserve for epidemics and other emergencies, the balance could be devoted towards increasing the annual period of sick leave that

could be granted. Similarly, if on account of the number of claims, the income of the fund proved unequal to the expenditure, it would be necessary to reduce the periods to secure solvency. Such schemes could operate on the basis of single establishments, where these were large enough, and small establishments might be combined for the purpose.

Medical Attendance and Cash Benefit.

By the time the statistical material has been collected, it may be possible for a more complete scheme to be devised. The main question to be considered at this stage will be how far medical attendance and cash benefits can be correlated. If the two were kept separate, it would be a reasonable criticism that those workers who did not utilise the medical facilities provided were increasing their claims on the fund at the expense of others. On the other hand, in some cases a return to the worker's village is likely to be of as much benefit to health as medical attendance in the city, and the keeping of the two branches of relief entirely independent would eliminate the difficulties that would arise if the period of leave could be extended by supplementary medical certificates.

Provision for Old Age.

Mr Joshi and Diwan Chaman Lall consider that the problem of making provision for old age is one that will compel early attention, particularly in the case of industrial workers. Industrial life tends to break down the joint family system. Those workers who, at the beginning of their industrial career, own a plot of land, are often unable to retain possession, and with the passage of years the connection with the village becomes loosened. Workers in the main are unable to save out of their low earnings against old age. Those in intimate touch with the life of the workers know something of the misery in which many pass their old age. The necessity for making some provision against old age needs no emphasis. A few employers, railway administrations and Government Departments have made provision for some of their workers, either by means of a provident fund or by instituting a system of pensions. It is appreciated that in this report it is impossible to make provision for meeting every contingency in the life of the worker but, the importance of this matter being generally admitted, they feel it incumbent to recommend that, until such time as it is found practicable to institute either a general scheme of old age pensions or provident funds for industrial workers, Government should, wherever possible, encourage employers by financial grants or other means to inaugurate schemes of this nature for their employees.

CHAPTER XV.—HOUSING OF THE INDUSTRIAL WORKER.

Origin of the Housing Problem.

In every industrialised country the problems associated with the housing of the working classes have increased as industry has developed, and India has been no exception to that rule. During the past 50 years there has been a constant drift into the cities and towns. In that time cities such as Bombay, Calcutta and Rangoon have doubled and trebled their population; other industrial centres such as Madras, Madura, Lahore, Jubbulpore, Nagpur and Cawnpore have increased with great rapidity, whilst new towns like Bhatpara and Jamshedpur have sprung up in hitherto undeveloped areas. In each of these places the housing of the workers presents a problem, sometimes showing distinctive characteristics and requiring its own solution, but for the most part arising from similar causes. Limitation of space and high land values are responsible for much of the congestion in the large cities, but these factors have had less influence in the smaller towns and centres. Probably the most important common feature has been the lack of control over the selection of sites intended for industrial development and the consequent additional overcrowding, caused by the presence of large numbers of immigrant workers seeking accommodation in the heart of towns already suffering from a shortage of houses. The combination of these circumstances has led to the unsatisfactory conditions existing in nearly every industrial area. A more recent phenomenon has been the growth of the smaller industrial towns, particularly of those associated with such industries as cotton, jute and mining. In and around such places land is usually plentiful and cheap, so that these handicaps to the extension of housing accommodation for the workers have had less influence. The same rapid growth in population has, however, invariably outstripped available housing and has contributed to the overcrowding, congestion and squalor. Thus the establishment of an industry in the average Indian town has, in certain respects, not always been an unmixed blessing. Whilst stimulating trade and increasing the rateable value, it has added to the population large numbers which are a constant menace to the health of the community and frequently necessitate heavy expenditure owing to outbreaks of epidemic disease.

Overcrowding.

Owing to the lack of the necessary surveys, there is to-day an absence of information regarding either the relative or the actual shortage of houses in urban and industrial areas. Moreover, few statistics relating to density of population are available, although a certain amount of indirect information on these points can be obtained from other sources. From the last census report it appears that 70% of the houses in Bombay city are one-roomed, and the Labour Office family budget investigation of 1921-22 showed that 97% of the working classes were accommodated in one-roomed tenements with as many as 6 to 9 persons living in one room. In Karachi almost one-third of the whole population is crowded at the rate of 6 to 9 persons in a room, whilst in Ahmedabad 73% of the working

classes live in one-roomed tenements. Corresponding figures for other cities such as Cawnpore, Howrah, Calcutta and Madras are unobtainable, but our observations showed that nearly all the workers live in single rooms.

Mortality Rates.

The available statistics give little or no indication of the effects of overcrowding and congestion on the town-dweller, although it is common knowledge that both sickness and mortality rates are enhanced thereby. Another index of health conditions is the infantile mortality rate. High infantile mortality is closely associated with ignorance and poverty, as the figures for the general population, amounting to 200 to 250 per 1,000 births, show only too clearly. The infantile mortality rate for Bombay city in 1929 was 298 per 1,000 births and recent reports on the health conditions of Madras and Rangoon give rates of 300 to 350 per 1,000 for certain parts of these cities. But the common custom of expectant mothers returning to their villages for the birth of their infants introduces a vitiating factor in the statistics of urban and industrial areas, the effects of which it is usually difficult to estimate. An enquiry carried out at our suggestion by the Bombay Labour Office in 1930 shows that this factor is by no means negligible; for, in a group of 2,458 births investigated, the infantile death rate was increased from 230 to 268 per 1,000 births when it was taken into account. These large additions to an already excessive mortality cannot, therefore, be wholly attributed to the evil effects of urban life, although there can be little doubt that they are partly responsible.

Housing in Urban and Industrial Areas.

Although we were repeatedly informed that the workers' houses in urban and industrial areas were no worse than those to be found in agricultural villages, we neither accept this as a statement of fact nor think it relevant as a standard of comparison. In the villages the houses may be dark and unventilated and their surroundings insanitary, but most of them have some sort of enclosure or courtyard which provides light, air and a certain degree of privacy. In the urban and industrial areas, on the other hand, cramped sites, the high value of land and the necessity for the worker to live in the vicinity of his work have all tended to intensify congestion and overcrowding. In the busiest centres the houses are built close together, eave touching eave, and frequently back to back in order to make use of all the available space. Indeed, space is so valuable that, in place of streets and roads, narrow winding lanes provide the only approach to the houses. Neglect of sanitation is often evidenced by heaps of rotting garbage and pools of sewage, whilst the absence of latrines enhances the general pollution of air and soil. Houses, many without plinths, windows and adequate ventilation, usually consist of a single small room, the only opening being a doorway often too low to enter without stooping. In order to secure some privacy, old kerosene tins and gunny bags are used to form screens which further restrict the entrance of light and air. In dwellings such as these, human

beings are born, sleep and eat, live and die. The one bright feature in a number of centres is the effort made by the more advanced employers to provide housing. Employers' housing schemes vary greatly; some are admirable and others less so; but the worst is usually better than the best of the alternative accommodation open to the worker.

To these comments, which are applicable to the industrial areas generally, we would add observations on the more important areas individually.

The "Bustees" of Bengal.

Owing to the rapid and extensive development of industries in the Calcutta and Howrah areas, land for housing has become scarce and commands extraordinarily high prices. The workers have for long found it difficult to obtain adequate housing accommodation, and to meet their need, private landlords, often mill sardars, erect houses and huts in the neighbourhood of the mills and let these at rents so high as to absorb a considerable proportion of the workers' earnings. Little or no consideration being given to the amenities of life, every available foot of land has been gradually built upon until the degree of overcrowding and congestion, particularly in certain parts of Howrah, is probably unequalled in any other industrial area in India. In Calcutta, the activities of the Improvement Trust in driving roads through some of the worst slums and in providing drainage have only partially improved prevailing conditions in the working class areas.

Employers' Schemes in Howrah.

The housing schemes provided by a few of the mills and factories in Howrah present a striking contrast to adjoining slums. Frequently, however, their lay-out has been controlled by strict limitations of space so that, although there is adequate provision of water-taps, surface drains and septic-tank latrines, and conservancy is given due attention, the back-to-back type of dwelling has often been adopted, the rows of houses are insufficiently spaced out, and the size of the individual rooms may be below recognised health standards. At the same time, these mill *bustees* are immensely superior to most of the other housing accommodation available and give an indication of what still waits to be done for the rest of the working population.

Employers' Schemes in the Jute Mills Areas.

In 53 mills for which figures have been received, nearly 41,000 houses have been built by the employers to accommodate about 131,000 of their workers and it has been estimated that between 30 and 40% of the total labour force in these areas is housed by the various companies. Most of these houses are built in back-to-back rows and consist of one room with a verandah in front in which cooking and washing is done. In the better lines the space between the rows is paved with brick and drained. Windows and roof ventilation are also provided in some types, whilst artificial lighting has been extended to a number of lines. A large number of septic-tank latrines have effected immense improvements in conservancy and sanitation. Water supplies are usually provided by

the mills ; numbers of deep tube wells have been sunk, and in other cases water is pumped from the river and purified before distribution. The creation in the mill areas of small municipalities, many of the members of which are associated with the jute industry, has done much to improve general health conditions in difficult circumstances, and substantial sums have been expended with benefit to all concerned. In Titaghar, for example, a complete sewerage scheme with purification works has been constructed at a cost of over Rs. 12 lakhs. In Bhatpara a more comprehensive improvement scheme, estimated to cost Rs. 22 lakhs, is in course of development and comprises a complete sewerage scheme with purification works, a town water supply, new road construction and provision of parks. In both cases the Government agreed to contribute one-third of the cost. In a number of areas the industrial concerns have assumed responsibility for pumping and distributing water supplies and have also borne the bulk of the cost of the sewerage schemes. The municipalities, however, have failed to make adequate use of the powers they possess under the Bengal Municipal Act for the improvement of private *bustees*. While much has been done, therefore, the general problem of the housing of the workers is still unsolved. The majority remain unprovided with decent dwellings, and the houses built by the mills are in marked contrast to those in the *bustees* lying around.

The "Chawls" of Bombay.

The housing problem in Bombay presents certain special features. Lack of space has given birth to the *chawl*, a tenement three to four storeys high with at least one family in each small room. The plan by which a central passage provides entry to rooms on either side is unsatisfactory, and the main characteristics of these dwellings must be entirely foreign to the habits and customs of their occupants. The entry of light and air is greatly restricted, and the insufficient space between the individual tenements further accentuates these defects. Not only are the sanitary arrangements totally inadequate, but cleansing and sanitation are also badly neglected. There can be no question that many of the older types of mill *chawls* are detrimental to the health of their occupants, and, although they are being gradually eliminated, large numbers still remain in use. Moreover, because of their proximity to the mills, they are invariably the most crowded, and frequently additional difficulty is caused by persons other than mill employees inhabiting them. In the majority of cases these *chawls* are impossible of improvement and therefore fit only for demolition. We suggest later how their disappearance might be expedited.

An enquiry made in 1926 by the Bombay Labour Office showed that 28 of the textile mills had provided housing in the form of single-room tenements for about 20% of their employees, a full economic rent being charged in only two cases. The Bombay Port Trust has built *chawls* in three centres which accommodate over 3,000 of its 8,000 workers. The Bombay Improvement Trust provides for all its workers housing accommodation of a low standard, the semi-permanent sheds being made of

corrugated iron. With these exceptions, housing is provided by private landlords. The general standard is low and the practice of sub-letting for profit is common and adds considerably to the degree of overcrowding.

Housing Schemes of Bombay Development Department.

Until there is available an adequate supply of suitable rooms let at rents within the means of the wage-earners, every effort to improve housing conditions must fail. It was to meet these requirements that, after the war, the Government of Bombay through its Development Department built 207 new concrete *chawls* containing over 16,000 single-roomed tenements in four different centres, a majority of the mills being within a mile of one or other of the four. The large expenditure involved makes it necessary to accept these places as a more or less permanent feature of the housing of the Bombay industrial worker, although we hope that this plan will not be copied in any future housing schemes. In the new *chawls* the spacing out of the blocks provides reasonable air and light requirements, and the individual rooms give a sufficiency of space. The flush-out latrines and the bathing places are such as can be fairly easily maintained in a sanitary condition, but their number is not always sufficient. All the *chawls* have been provided with roads, water, lighting and shops, whilst at Worli one whole floor has been converted into a market. Schools and dispensaries have also been established in each of the four *chawl* areas and yet these new houses provide the only accommodation in Bombay which the workers have been reluctant to use. Never more than 50% of the 16,524 rooms have been occupied since they were made available in March, 1929. This is partly due to disturbed industrial conditions, but we believe that other causes are also responsible. That the lack of lighting in the *chawls* themselves is one of these causes is evidenced by the fact that a number of blocks in which electric light was installed were immediately occupied, and we suggest that this improvement be introduced throughout. Additional objections, especially applicable to the Worli scheme, are the lack of cheap transport to the mill areas, the inadequacy of markets and shops, defective medical facilities and the lack of police protection. If further efforts were made to correct these deficiencies, there seems to us to be every hope that the mill worker would gradually see the advantages of residing in areas where conditions are so much superior to those in the old overcrowded slums.

The "Cheries" of Madras.

Conditions in Madras, Madura, Coimbatore and other urban and industrial areas are equally unsatisfactory. In Madras City, 25,000 one-roomed dwellings shelter 150,000 persons or one-fourth of the population. The general shortage of houses is so acute that many hundreds of workers are entirely homeless and live on the streets or on the verandahs of godowns in the vicinity of the harbour. In Madura, where a number of cotton mills are situated, conditions are specially bad. The Municipality has done nothing to relieve the problem, and none of the cotton mills has provided housing accommodation with the exception of the

Madura Mills Company which has erected a settlement of 176 quarters. In Coimbatore and Tuticorin no provision of any kind has been made either by municipal councils or by employers. Many of the poorer classes, seeking in vain for accommodation, squat on private land and build flimsy shelters to serve as homes. When the landowners' demands for ground rent become excessive, these people move to other sites equally unsuitable and precarious. Eventually scattered *cheries* spring up where overcrowding and bad sanitation produce their usual deleterious effects. For the most part these colonies receive little attention from the authorites. More often than not the primary necessities of life are altogether inadequate. Even where piped water supplies are available, the nearest taps may be far distant, so that water is obtained from unprotected surface wells. The lack of roads gives municipal cleansing staffs an excuse for their neglect of conservancy. For want of drainage and in the absence of latrines streams of sewage filter over the pathways. It is not surprising that epidemic disease frequently manifests itself in these plague-spots and that both the sickness and mortality rates of their inmates reach high levels.

Employers' Schemes in Madras.

The Labour Department of the Madras Government and one or two co-operative building societies have built a number of houses in certain areas, but these efforts have had little effect on the main problem. The one pleasing feature of the situation in the Presidency is the housing scheme carried out by the Buckingham and Carnatic Mills Company in Madras City. This Company has already built three villages with 459 houses and another village of 200 houses is in course of construction. The usual type of house consists of a living room, a kitchen and a washing place with a front verandah and yard. The lay-out is made as spacious as possible and all roads are lighted with electricity, although lighting is not carried into the houses. A piped water supply is obtained from the municipal mains and all charges for lighting, conservancy and water are paid by the Company. A nominal rent of Re. 1-8-0 per month is charged, and neither sub-letting nor occupation by tenants in other employ is permitted. We have inspected these model villages and consider that the improved housing conditions and the new opportunities for recreation are bound to make their occupants more healthy and contented. Every credit must be given to the Company for its efforts, but the difficulty of obtaining suitable sites and the high cost of land and buildings make provision on an adequate scale a slow and expensive undertaking. Only 10 per cent of the mill workers have so far been accommodated, and the great majority still live in houses rented from private landlords or crowd into huts erected by themselves.

Cawnpore.

Cawnpore is densely overcrowded and insanitary, the labouring population numbering about 90,000 in all. Three-quarters of the town is made up of private *bustees* or *hatas*, which are covered with houses either unfit for human habitation or in great need of improvement.

Most of the houses consist of a single room 8'×10' with or without a verandah and such dwellings are frequently shared by two, three and four families. It is not uncommon for the floor to be below ground level and drainage, ventilation and sanitation are entirely wanting. Hitherto no outside agency, public or private, has undertaken the provision of sanitary dwellings, but certain employers have entered on large and directly unremunerative schemes for a proportion of their workers.

Employers' Schemes in Cawnpore.

The British India Corporation has gradually extended its settlements, commenced many years ago, until they now provide for about 83 to 90% of their workers. Others have made partial provision for their employees and a total of about 3,100 quarters have been built by employers. The best employers' housing scheme in Cawnpore is that of the British India Corporation at McRobertganj. In this settlement, 26 acres in extent, 676 single quarters, 140 double quarters and 12 bungalow cottages have been erected. The different grades of quarters generally conform to the same sanitary type, being 12'×10'×10' in size, and are usually arranged in small groups around large open stone-paved courtyards shaded with trees and provided with a central water supply. Masonry drains and open spaces at the back permit of sanitation and ventilation. The double quarters have house latrines kept in order by a private conservancy staff and other quarters have public latrines water-flushed and connected with the municipal sewers. Water, sewerage and lighting are supplied by the municipality. About 300 quarters are given rent free, so that the return on the total capital outlay is not more than 2% and, although sub-letting is not prevalent, outsiders are not infrequently brought in as relations. Up to the present the British India Corporation has constructed 2,254 quarters in which over 8,000 persons are housed and fifty acres additional land has recently been purchased with a view to extending its housing settlements. Nowhere has such a successful effort been made to solve the problem of housing for factory labour, yet nowhere is the problem more acute. A proposal to undertake a joint housing scheme for 20,000 operatives has been under consideration by the millowners for some years: but, as this depends on the compulsory acquisition of the necessary land, it has so far failed to develop.

The Cawnpore Improvement Trust.

Although the Cawnpore Improvement Trust has been in existence since 1919 and considerable improvements have been effected by opening up some of the more overcrowded areas, little progress has been made in the construction of additional working class houses. The Improvement Trust may lease, or compulsorily acquire, land required for carrying out an improvement scheme which may include the provision of accommodation for any class of the inhabitants. The Trust can, therefore, acquire land compulsorily for the building of working class dwellings, but it is not charged with the specific duty of their construc-

tion and, in the present state of the law, compulsion cannot be exercised in favour of a company or private association desiring to start a housing scheme. Employers in Cawnpore have found it nearly impossible to obtain suitable land for their settlements at anything like a reasonably economic rate. The Improvement Trust Enquiry Committee proposed that building land should be made available to the mills on a 90 years' lease, on payment of a premium equivalent to the acquisition cost *plus* overhead charges, and that the loans from Government should be repaid in equated instalments extending over a period of 30 years. Both land and buildings would be mortgaged to Government as security for repayment. The Upper India Chamber of Commerce, which has long advocated the necessity for facilitating acquisition of land for industrial dwellings and for the free provision of water, lighting and sanitation by the Municipality, assured the Enquiry Committee that, if Government were willing to lend on these terms, some of the leading mills would build settlements for their workmen in the near future.

Ahmedabad.

The areas occupied by the working classes in Ahmedabad present pictures of terrible squalor. Nearly 92% of the houses are one-roomed ; they are badly built, insanitary, ill-ventilated and overcrowded, whilst water supplies are altogether inadequate and latrine accommodation is almost entirely wanting. Resulting evils are physical deterioration, high infant mortality and a high general death rate. Thirty-five of the textile mills have provided *chawls* for about 16% of their employees, but in only one or two cases is the accommodation of a reasonable standard, and sanitary arrangements are frequently inadequate. The quarters built by the Asoka and Calico Mills are perhaps the best. In the former case, a settlement adjacent to the mill provides accommodation in the form of *chawls* for about 1,100 out of 2,500 workers. The *chawls*, laid out in groups of eight, are interspersed with gardens and trees. One type of house has a single room, a verandah and a courtyard, whilst another and more expensive type consists of two rooms and a verandah. Some years ago the latter Company built a colony of 48 tenements, in which each house contains a room, a kitchen, a bathroom and a common verandah. The lay-out provided open spaces, and gardens and other amenities were intended, but these houses have remained unpopular because of their distance from the town. In several cases the mill operatives will not use the accommodation provided for them and the houses of one mill are regularly occupied by operatives of other mills. The housing conditions of textile workers in Sholapur are much better than in Bombay or Ahmedabad and sub-letting does not exist there to any large extent.

Nagpur.

Conditions in this city are neither better nor worse than those of some of the other areas already mentioned, but special reference must be made to the excellent scheme being carried out by the management of the Empress Mills to provide their workers with decent homes and with

a higher standard of living. Two hundred acres of land at Indora have been leased from Government, and on this site the Company proposes to spend Rs. 25 lakhs in developing a model town of 1,500 detached houses in a sanitary, clean and airy environment. The town will consist of both *kachcha* and *pucca* houses, the latter being built by the Company and the former by the workpeople themselves in accordance with approved designs. At the time of our visit 108 houses had been erected, 42 by the Company and the remainder by workers. Each building plot measures 36 feet by 53 feet, but only one-third of this area may be built upon. Every house has a latrine and a water-tap, and the village has its own water main and an activated sludge plant. The Company's houses cost Rs. 960 and are sold to the workers for Rs. 840 on a monthly instalment system, the rate of interest varying from three to six per cent, according to the regularity or irregularity of the payment of instalments. *Kachcha* houses cost from Rs. 300 and advances made for their construction are paid back in monthly instalments over a period of 5 to 7 years. The lay-out includes sites for play-grounds, market places, public gardens. a central hospital, a workers' institute and residences for welfare secretaries, whilst a primary school has already been opened. Although the scheme is still in its infancy, it was obvious to us that the workers had already developed a pride of possession and an increased self-respect; the cultivation of flowers, the planting of trees and individually distinctive decorative schemes were all evidences of a new outlook on home life among the residents.

Karachi and Ajmer.

The same tale of squalor could be told of other towns and industrial centres ; but evidence of neglect and lack of supervision was nowhere more obvious than in Karachi and Ajmer. In the former city the Port Trust has provided 816 houses of different types at Manora and Keamari, but the majority of its employees live in the city where housing is both bad and expensive. Few of the industrial employers have provided any quarters, although some supply materials and leave the workers to build huts for themselves. The municipality has constructed satisfactory quarters for a number of its employees and the Chairman informed us that the question of inducing employers to acquire sites on which to build houses for their workers had been taken up and negotiations were on hand. The problem is urgent, for congestion is very severe and sub-letting is a prevailing evil. In Ajmer the bulk of the workers live in privately rented quarters in the town and, owing to the great shortage of accommodation, overcrowding is intense, whilst sanitation is deplorably bad. The houses built by the Krishna Mills in Beawar are mostly of corrugated iron and lack both ventilation and sanitation, but the houses erected by the Edward Mills are of a somewhat higher standard. The Bombay Baroda and Central India Railway has built quarters for some of its workshop employees, and these are on the whole satisfactory in regard to drainage, water supply and sanitation, but no houses are provided for the lower grades of workers, and these are compelled to look for accommodation in the city, where they enhance the existing overcrowding.

Mining Areas.

The housing problem in mining areas presents features somewhat different from those in other industries. The nature of the mine and its probable length of life have a direct bearing on housing policy. The difficulty of obtaining sites with a solid foundation is a handicap to substantial housing schemes. Subsidences caused by underground workings are constantly encroaching on suitable sites and have resulted in damage to existing accommodation. In addition, over 400 coal mines have been closed down during the last nine years, and, although the total number of employees has been reduced by nearly 25,000, the housing problem has been complicated by the movement of labour from the mines which have been closed, to the larger and better organised collieries. The average number of workers has increased from about 200 to over 300 per mine. Housing for all resident labour is generally provided rent-free by the companies, but certain classes of workers prefer to live in their own villages and may walk considerable distances to and from their work. Provided the distance is not too great, this mode of life has many advantages ; there can be no comparison between the Santal villages seen by us and some of the depressing lines of *dhowrahs* built on mine properties. In the Raniganj collieries the owners sometimes provide plots of land adjoining the houses in order to induce the workers to settle permanently. In both the Raniganj and the Jharia coalfields, all housing construction is governed by regulations laid down by the Jharia and Asansol Mines Boards of Health, which were constituted in 1913 and 1915 respectively and have been able to effect considerable improvements. In the Jharia area, the common type of house is the "arched *dhowrah*" built of brick and cement concrete ; in Asansol a large number of the recently constructed houses have tiled roofs, and two-storeyed buildings are also found in a few instances. Many of the lines leave much room for improvement. The arched *dhowrahs*, although possibly cool in the hot weather, are often dark and ill-ventilated, and few are fitted with windows. The single room, 10′ × 10′, serves as kitchen, store room, living and sleeping room. As cooking must be done either in the room or in the arched verandah in front and ventilation is usually defective, the inner walls quickly become coated with smoke and soot. When *dhowrahs* are erected back to back, as is sometimes the case, these defects are further aggravated. The classes from which the miners are drawn are accustomed to build their village homes neither in long lines nor in rows of rooms arranged back to back : on the contrary each family has its individual hut with a small enclosed space which ensures some degree of privacy. In some of the newer types of colliery houses we saw, ventilation and lighting were reasonably satisfactory, but windows were seldom provided. We consider that in all new houses both a window and roof ventilation should be provided. On one colliery small blocks of two to four houses have been recently constructed ; each house has its compound wall and courtyard or private verandah. These partitioned units are not only more in conformity with the customs and desires of the miners but secure good natural light and ventilation, and we recommend a more extended use of this and similar types. It should be easier

to find the lesser sites sufficient to accommodate these small blocks of houses than the larger sites required for long barrack lines. As electric power is available on most of the collieries, it might be possible, without undue expenditure, to erect standard lights in and around the house lines.

Prevention of Overcrowding.

To the great influx of labour and the deficiency of housing accommodation at certain periods of the year is added overcrowding. This is further intensified by the custom of gangs of one class crowding together in the rooms of one block rather than occupying rooms in separate or distant blocks, a tendency which it is always difficult for employers to overcome. If, as was indicated to us, there is the further difficulty of workers on different shifts deliberately and of choice occupying one set of rooms alternately, even when others are lying vacant, the Board's health staff should take every possible step to prohibit such occurrences.

Sanitary Arrangements.

Sanitary arrangements in the mines housing areas are by no means satisfactory. Latrine accommodation is inadequate, and there is room for an increase in bathing and washing places near the lines, most of the population using surface tanks for these purposes. Even if the provision of washing and bathing places in individual houses is not practicable, it should be possible to extend the practice of certain employers who have built simple structures for such purposes in the vicinity of each block of houses. Fitted with taps and provided with drains to remove foul water, these would add greatly to the amenities of life for the miner. A more general construction of latrines of types approved by the Boards of Health and Welfare should also be put in hand, and sufficient numbers to meet the needs of both sexes erected at suitably convenient distances. Where piped water is available, flush-out septic-tank latrines should be installed in preference to other types.

Moratoria.

Owing to financial depression in the coal industry, the Boards of Health have unfortunately found it impossible to insist upon close adherence to the standards laid down in their bye-laws. The Jharia Board, for example, has granted moratoria annually since 1926, so that since that date the carrying out of definite programmes has been in abeyance. Standard specifications, however, have been adhered to in the case of new construction and also in the reconditioning of houses which have fallen into such a state of disrepair as to require rebuilding. The complicated system in force in the Jharia area of issuing licence forms of different colours for different grades of housing accommodation, in our opinion, should be abolished forthwith. We believe that the system is overweighted with forms, and at least some of these licences have been used for the purpose of postponing urgently required improvements. Even during the moratorium, regular programmes of construction and reconstruction have been carried out on some collieries, so

that the immediate cancellation of some of these licences would compel the more backward ones to take early cognisance of the defective accommodation provided for their employees.

Giridih Area.

In the Giridih mines area workers and staff are provided with rent-free accommodation. Formerly the workers built and repaired their own houses with materials supplied to them by the management. In 1921, however, this practice was discontinued and repairs to houses were done departmentally, as this was said to be more efficient and less wasteful of material. Arrangements were made to improve the housing accommodation in 1924-25, and so far over two lakhs of rupees have been spent in demolishing a large number of inferior houses and replacing them by new ones. The number of rooms allotted depends on the size of the family. Two types of houses have been constructed, one with a *pucca* concrete roof and the other with a tiled roof. The miners prefer houses of the latter type but, though they are cheaper to construct, the annual cost of repairing them is heavy. We discuss later the advantages of permitting employees to build their own houses, and, while we appreciate what has been done by the employers in this colliery area, we are not certain that the change of policy made in 1921 was a wise one, and we recommend that it be reconsidered. In this area, as in other mining areas, improvement schemes have been discontinued temporarily owing to financial stringency, and much remains to be done before a satisfactory standard of housing will exist over the whole field.

Metalliferous Mining Areas.

Some of the accommodation in a number of the metalliferous mining areas is stated by the Chief Inspector of Mines to be " deplorable ". This is no doubt partly due to the temporary nature of the work and the migratory character of the labour. But these are inadequate reasons for leaving the workers unhoused or for providing mere temporary shelters without any of the other amenities associated with decent accommodation. An important exception is to be found in Namtu where the Burma Corporation has provided rent-free houses for all its employees. The house lines are built of mat and thatch and the rooms, 12′×10′×10′, accommodate four men each, whilst married couples are given special rooms. Adequate water supplies, drainage and sanitation are also provided by the Corporation. We recommend that other mine-owners should build houses of a more suitable character and that more attention be given to the provision of water, drainage and latrines.

Yenangyaung.

As an illustration of what might be possible in mining areas, we would refer to the accommodation provided for its employees by the Burma Oil Company at Yenangyaung. The Company has laid out a number of villages with wide roads and open spaces and with a garden attached to each house, and the likes and dislikes of the different races and classes of worker have been taken into account in preparing

designs. Before construction begins, all plans are approved in respect of health requirements by the medical staff, and adequate water supplies with standpipes, washing places and sanitation are also provided by the management. As a part of the Company's general welfare activities, which are in charge of a full-time welfare officer, prizes are offered for the best kept quarters and gardens. The Company believes that the efforts of the occupants in these directions not only reduce the cost of maintaining the houses but help to raise the standard of living, and we were impressed with the results which had been obtained. On the other hand, the principle of housing numbers of 'single' men in long barrack rooms, such as we saw at Yenangyaung, is a less happy one, even when the accommodation, as in this instance, is well built and maintained in an admirable state of cleanliness. It is probable that the workers themselves would prefer rooms each capable of accommodating not more than four to six individuals, as under such an arrangement the men could exercise some selection in respect of their room companions and would have a greater degree of privacy than under the barrack scheme. In our opinion future construction of quarters for 'single' labourers should be arranged on this plan.

Jamshedpur.

The responsibility of employers varies to some extent with conditions and localities. The foundation of an industry in a new and hitherto undeveloped area gives rise to circumstances under which this responsibility must necessarily lie, in the first instance, with the employers. That position has been largely accepted by such firms as the Tata Iron and Steel Company and the Tinplate Company in Jamshedpur. The former has erected nearly 5,000 houses which are rented to its employees, and the latter has built 326 quarters which accommodate over 41 per cent of its labour force. As it will be some time before housing accommodation for all the workers can be supplied, other schemes have been introduced in order to encourage workers to build their own houses. The Steel Company grants loans at 3% for this purpose, for *kachcha* houses three months' wages being advanced without bond and being repayable in twelve monthly instalments. For *pucca* houses, loans are granted on a mortgage system and are limited to 15 months' salary and half the estimated cost of the building, whilst they are recovered in easy instalments within a maximum period of 5 years. The total loans outstanding on 31st March 1929, amounted to Rs. 2,02,967 and the number of houses built under the two classes were 1,570 and 40 respectively. In addition, 5,660 houses have been built in *bustees* by the workers themselves at their own cost, but according to an approved lay-out on land prepared for building purposes. Many of the streets are lit with electric light and in a few years the company hopes to have a complete system of street and road lighting. Piped water is supplied except in some of the *bustees*, and a complete underground sewage system has been provided. The Tinplate Company also advances loans to its workers to enable them to build houses for themselves. These loans are limited to

sums which can be repaid in ten months, and construction is supervised in order to ensure good design and the use of good materials. We consider that ample scope exists for a wider use by employers of these methods; they are applicable to many industrial areas in different parts of the country.

Railway Quarters.

The Railway Board has laid down that its general policy is to provide quarters where, for special reasons, it is necessary to do so, and where conditions are such that private enterprise does not adequately meet housing demands. Railway administrations can acquire land for building schemes under the Land Acquisition Act, and we were informed that every endeavour is made to secure sites situated in healthy localities. Expenditure up to 1st April 1929, was Rs. 24·81 crores, while the expenditure during the 4 years ending 1st April 1929, was 4·85 crores and the next two years' programme contemplates a further expenditure of 2 crores. Even so, considerable numbers of the railway staffs are not provided for, and these live in rented houses owned by private landlords. At wayside stations only a very small proportion of the staff is not provided with railway quarters, and all staff employed on construction projects are housed in temporary quarters especially erected for the purpose. The available accommodation is fully utilised, although gangmen recruited locally prefer to live in their own villages. Rent is charged except in the case of the lowest grades who are normally given free quarters. Generally men who are liable to be called upon at any time without notice are also provided with free quarters and, where an employee is entitled to free quarters and none are available, a house rent allowance is given. Up to the present, as a general rule workshop staffs have not been given quarters as most of the workshops are within reach of large towns. On some railways, however, a proportion of the workshop staff is provided with houses owned or leased by the railways. The Burma railway administration states that 78% of the workshop employees at Myitnge and 38% of the locomotive shop staff at Insein are so housed. On the Bombay Baroda and Central India Railway 92 quarters have been provided in Bombay for the lower paid workshop staff and arrangements have been made to lease from the Development Department certain *chawls* at Worli to accommodate another 400 workmen. Provision also exists for housing a large percentage of the workshop employees at Khargpur by the Bengal Nagpur Railway and at Golden Rock, Trichinopoly, by the South Indian Railway. The Bengal and North Western Railway have a colony at Gorakhpur for men employed in the workshops. The Railway Board has recently revised its policy in regard to the grant of free quarters and rent on state-aided railways. Under the new policy all future entrants, except men in inferior service, will have to pay rent. Further, each class of quarters is pooled, and rent is assessed and levied at a rate calculated to yield not less than 4% on the capital cost of each class, excluding cost of land. This percentage represents interest and costs of maintenance only, and depreciation charges will be met from general railway revenues. In actual practice the rent charged

varies from 3 to 10% of pay, but on different railways it is estimated in different ways, sometimes on a floor space basis, at other times on the basis of the employee's wage. No sub-letting is allowed but, where there is a shortage of quarters, the tenant sometimes shares his quarters with another railway employee.

Scales of Accommodation.

The scale of accommodation varies on different railways, but for the lowest grades of worker the standard is usually one room of 90 to 100 square feet, a verandah of 40 to 60 square feet and a courtyard about 100 to 120 square feet. On certain railways the older types did not include courtyards, but we were informed that steps have been taken to add these in most cases. One of the best types we have seen is at Golden Rock, Trichinopoly, where the South Indian Railway has adopted a new design which provides for a room of 155 square feet, a kitchen, courtyard and washing place. For skilled artisans on the same railway, the usual type includes two rooms with a total area of 190 to 220 square feet and a verandah of 40 to 50 square feet. On the Bombay Baroda and Central India Railway the artisan house is of an improved type, containing one main room, a courtyard, a verandah and a kitchen. Superior quarters are provided with individual latrines, but for lower grade quarters blocks of latrines are provided at a suitable distance from the houses. All railway managements are agreed as to the beneficial effects on the workers of improved housing conditions. Designs of staff quarters, though standardised as much as possible, are constantly being altered to meet the growing demands connected with rising standards of living, but many of the older types of existing buildings require to be replaced by houses more in keeping with modern standards. In spite of the large expenditure and the continual endeavours to construct additional accommodation in accordance with a pre-arranged programme, there is still a dearth of quarters on most railways. Whilst recognising that financial considerations enter largely into the problem, we hope that the Railway Board and the administrations will be able to arrange for increased provision of houses as rapidly as possible. We were much impressed by the improved lay-out and the generous accommodation provided in some of the more recently erected railway colonies and particularly at Golden Rock, and we are satisfied that continued expenditure in the same direction will prove a sound investment from every point of view. At the same time, we consider that in the past too little regard has been paid to Indian preferences in the construction of railway housing. The standard blocks of brick quarters to be seen near most stations, even in rural areas, have a depressingly foreign appearance and can hardly be regarded as homes. We suggest that in future schemes the importance of building as far as possible in consonance with good local traditions should not be overlooked.

Isolation in Industry.

There is one feature of these somewhat isolated colonies which deserves attention. It is in many respects desirable to build such

colonies somewhere in the vicinity of established towns, so that there may be opportunity of contact with others living in a different environment and in different spheres of life. When a community, employed almost wholly in one industry, such as those at Khargpur and at Jamshedpur, is segregated far from other communities and cut off from outside interests, an introspective attitude gradually forces itself upon the residents and a warped outlook on life tends to develop. As a result, these isolated communities only too often become active foci of discontent and disruption, even where general conditions of life are of a higher standard than those to which the members of the community have been accustomed. This psychological factor should be taken into consideration in planning for future developments of this kind.

Local Self-Government.

The creation and development of industrial enterprises has in some cases necessitated the leasing of extensive areas by employers and the provision of services, such as water, sanitation, housing, roads, lighting, etc., which under normal conditions are usually provided by local authorities. In some of these industrial areas there is a large resident population, at Jamshedpur for example it is well over 100,000. So far no attempt has been made to institute a system of local self-government such as obtains in other parts of India. In the notified area a committee has been constituted of representatives of the two large industrial companies owning the works situated in the area, but the resident population is not required to pay taxes in respect of the services provided. At the Khargpur Railway Colony on the Bengal Nagpur Railway and at Golden Rock on the South Indian Railway, the administrations have provided for the establishment of colony committees acting in an advisory capacity. These committees are composed of persons of whom some are nominated by the administration and others elected by the resident population. At Khargpur the colony committee levies a conservancy cess upon the residents. The principle of local self-government has been accepted in India, and we believe that in these special areas developments in this direction are required as a means of developing a sense of responsibility amongst the inhabitants. We recognise that, where the employer bears the full cost of providing services essential to the well-being of any community, the facts of the case demand that an effective limit to the powers of any authority administering such area should be provided. We recommend that Government should give continued consideration to the problems created in these special areas with a view to devising a system whereby the principles of local self-government may be applied.

Responsibility of Municipal Councils.

One fact which stands out from the outline we have given is that the action taken by the parties concerned—employers, Government and local bodies—is in inverse ratio to their responsibility. Employers have done most; municipal councils least. The latter are primarily responsible for the health of their citizens, and that responsibility cannot

be discharged in the industrial cities unless a vigorous attempt is made to improve housing. We are not unmindful of the difficulties in the way of municipalities. Their resources are limited and the raising of fresh taxation, particularly for the housing of the working classes, is not a simple task in present conditions. The inaction of most municipal councils reflects, we fear, only too accurately the apathy of the bulk of the electors, and this apathy would, in many cases, become active opposition if taxation were enhanced to finance housing schemes. Further, municipalities have been ill-equipped on the executive side for attacking such large and complex problems as those involved in the construction of houses on a large scale; where they have constructed any houses, their efforts have been concentrated on their own employees. Again, it has to be remembered that the conception that the provision of good housing is a duty of the community is a comparatively new one in any country, and it would be unreasonable to lay stress on the failure to accept it in past years in India. We have, indeed little desire to dwell on the past and would rather concentrate on what is possible in the future. But we must observe that, quite apart from the failure to formulate and execute a constructive housing policy, municipalities have generally failed to use their existing machinery and powers to control the lay-out and erection of new buildings. To-day the erection of houses, which are no better than the existing ones and which in many cases are adding to the congestion, is being generally permitted.

Responsibility of Governments.

Whilst the primary responsibility, as we have shown, rests with municipal authorities, they are entitled to look for expert advice and stimulus from Government. It is true that, with the introduction of the reforms, Government has been deprived of effective powers for guiding the progress of local self-government, and the Indian Statutory Commission has already called attention to the "grave error" that was committed in failing to realise "the need for control by the provincial Governments over local self-government authorities". But we feel compelled to express the opinion that many existing difficulties could have been avoided if the development of industrial areas had been given more consideration at an earlier stage and if, from the beginning, it had been made clear that disorderly growth would not be tolerated.

Responsibility of Employers.

Although the main responsibility for housing policy lies with Government and the local bodies, industrial development has without doubt enhanced the difficulties of the housing situation in numerous areas. Many employers have realised the necessity for action, and in fact have carried out the great majority of the housing schemes so far put into operation. Some of the admirable schemes described show what can be done where the desire to effect improvement exists. These have effected a great improvement in the standards of health and well-being of their fortunate occupants, whilst employers must also have realised the economic advantages obtained from more contented labour

forces, through an increased efficiency and consequently a greater capacity for output. It is obvious, however, that so far only the fringe of the problem has been touched. With the best intentions industrial concerns have been unable to provide for more than 10 to 40% of their employees, and it is unlikely that even the most prosperous industries could house all their workers without the active assistance, both financial and otherwise, of Government and municipal authorities. It must also be remembered that the accommodation provided by employers is in most cases given rent free and, even where rent is charged, a direct economic return is seldom obtained on the capital outlay.

Co-operation.

Important causes contributing to the present situation are the lack of co-ordination between the parties concerned and the apparent doubt as to where the responsibility should lie. The efforts made by some employers seem to have encouraged a tendency to leave the whole problem to them, whilst some municipalities tend to look to Government to raise, from the people as a whole, funds which should be found locally. The position demands immediate attention, not only from Governments and local authorities, but also from organised industry and the public, since all are deeply concerned. We consider that, in the first place, every provincial Government should take the initiative by making a survey of its urban and industrial areas in order to be possessed of exact information as to their most urgent needs. Each Government should then arrange for conferences with all the interested parties in order that decisions could be taken in regard to practicable schemes and the methods by which their cost could be shared. We support the recommendation made by the Indian Industrial Commission that local authorities should be responsible for the proper development and layout of industrial areas and for the provision and maintenance of proper sanitary conditions. We believe that many industrial concerns would be prepared to co-operate with the authorities in schemes in which the financial burden was shared. Where suitable Government land is available, we think that Governments should be prepared to sell or lease it to those who agree to build houses within a specified period. The fact that many employers have already spent large sums in providing decent houses for their own workers suggests that this method would succeed, for it need not be anticipated that in the future employers will prove less public-spirited than in the past. In order to encourage their activities in this direction and to relieve them of at least part of the burden they have assumed, we consider that Governments should announce their willingness to subsidise, in this or in other ways, housing schemes advanced by employers after these have received their approval. Such action neither removes responsibility from the Government or from public authorities nor prevents them from taking independent action. At the same time it would ease the burden, particularly in the smaller industrial areas, and would promote that combination of public and private effort without which it will be impossible to make progress. The whole

question depends primarily on whether Government is able to assist, for the cost involved is the crux of the whole position.

Government Action.

We have already stressed the necessity for the formation of a Ministry of Health in each province and for the passing of a comprehensive Public Health Act. By the passing of suitable legislative measures Government would find themselves in a much stronger position to deal with the present impasse and would be able to enforce action on local authorities who were unwilling to respond. For the control of housing, the Ministry of Health should lay down minimum standards in regard to floor and cubic space, ventilation and lighting, and these standards should be incorporated by all local authorities in their building bye-laws. The provision of water supplies, drainage systems and latrines for working class housing schemes should also be governed by regulations drawn up by the Ministry. Without these necessary safeguards, new housing schemes would speedily reproduce the very conditions they were intended to remove. The preparation and issue of model bye-laws by the Ministry of Health would be of great assistance to local authorities, and Governments should insist on their adoption, with modifications necessitated by local conditions, within a specified period. In order to assist employers and others desirous of building working class houses, Public Health Departments should also prepare plans, with approximate costs, of different types of houses, and be available for advice, thus preventing expenditure on schemes which do not conform to recognised health standards. We suggest that, in future, type-plans should provide more than the single room which for so long has been considered adequate for the average worker. The addition of a small room for storing utensils and for cooking and washing should be considered a necessity rather than, as at present, a luxury, and a verandah in front would give the worker and his family the much appreciated privacy so seldom obtained at present. Similarly, plans of approved types of latrines should be made available, and no housing scheme should be considered complete unless a sufficient number of sanitary conveniences are included.

Town Planning Acts.

Consideration must now be given to some of the additional legislative measures which Governments might use to secure further advance. The Town Planning Act is a British legislative measure which has proved of considerable value in the development of housing schemes. So far, the Madras Presidency is the only province which has placed such an Act on the statute book, but apparently there has been considerable reluctance on the part of municipal councils to make use of the powers conferred by it, whilst the Provincial Town Planning Fund, the creation of which is provided for in the Act, has not yet been constituted. It is true that extension schemes have been planned in Madras City and in one or two other towns ; in several municipal areas civic surveys have been considered or undertaken, but so far little or no amelioration of the housing conditions has been effected. If the present Act is ineffective,

the earliest opportunity should be taken to make it an adequate weapon. In Bengal and Bombay Presidencies particularly, Town Planning Acts are urgently required and we believe that in other provinces this form of legislation would be found useful. These Acts should provide for the acquisition and lay-out of suitable areas for working class populations and for the opening up and reconstruction of congested and insanitary areas. Schemes approved by the Ministry of Health should be eligible for Government grants and loans. Other sections of the same Acts should deal with the "zoning" of industrial and urban towns, whereby in future the erection of new factories or other industrial concerns can be prohibited, except in areas specially allotted for industrial development, and other areas can be reserved for industrial housing schemes. The principle of zoning has been applied with advantage in other countries and its early application in India would prohibit for the future the haphazard growth which has so much enhanced town-planning difficulties. Other provinces might well follow the example of Madras by appointing a Director of Town Planning so that expert advice might be available, not only to local authorities, but to leaders of industry.

Improvement Trusts.

In some of the large centres such as Bombay, Calcutta and Rangoon, Improvement and Development Trusts have done valuable work in opening up congested areas, in re-planning those under reconstruction and in preparing new areas for housing schemes. Such bodies are usually provided with full powers to acquire land for these purposes, but so far, except in Bombay, they have attempted little in the way of providing working class housing. Apparently, private individuals and local authorities were left to provide the houses after sites had been prepared. The re-planning and rebuilding of some of the smaller slums can be dealt with in this manner, but we consider it to be the duty of every Improvement Trust to provide housing for the working classes and recommend that this should be a statutory obligation. The Cawnpore Improvement Trust and the Rangoon Development Trust are two examples which may be quoted in support of this recommendation. In both these cities the Trusts have done admirable work in opening up and developing areas suitable for housing, but there is some reason to fear that one result of their activities has been to increase overcrowding, particularly in those areas where congestion was worst. Moreover, in certain cases there seems to be lack of co-operation between Municipal Councils and Improvement Trusts. It should be possible for the latter to provide land, roads, sewers and sanitary conveniences for new areas where loans have been raised, but the cost of street lighting and water mains should be met by the Municipalities in the same manner as for other areas within municipal limits. So far as existing slums are concerned Municipal Councils need not acquire the land as they have the power to condemn houses unfit for human habitation. Improvement Trusts can acquire a whole area, develop it and lay it out. These different methods are applicable to different cases, but we believe that progress will only be made possible when these bodies co-operate whole-heartedly with each

other and with Government and employers, each bearing its own share of the burden. As regards the housing situation in Bombay, it is worth considering whether action should not be taken to condemn the old insanitary *chawls* in the mill areas in view of the fact that alternative accommodation has already been provided. This would receive additional justification if the improvements we have suggested in respect of the newer *chawls* were carried out before the demolition of the older ones; efforts might then be made to encourage particular communities to migrate. We have been informed that the question of establishing an Improvement Trust for Howrah, with similar functions to the Calcutta Improvement Trust, has recently been under consideration. The task of improving the housing and health conditions in this municipal area is so heavy that we have no hesitation in expressing the opinion that the establishment of such a body is a matter of urgent importance. The industrialisation of this town has developed to such an extent that there can be little doubt that the sale or lease of new sites on acquired land would bring in a considerable annual income, although here also assistance would have to be given by Government in the form of loans. No Improvement Trust can be expected to finance schemes of the magnitude of those required in towns like Howrah, Ahmedabad, Cawnpore and Rangoon without being possessed of an adequate annual income. If an Improvement Trust is properly organised, however, it should not be a losing proposition, although it naturally requires initial financial assistance in the form of loans. We were particularly struck with the position in Cawnpore. Here the Trust, although it could acquire land for improving roads and for driving through new roads, was apparently unable to acquire the adjoining land, the value of which was greatly enhanced by its efforts. The effect was to enrich the slum owner, who contributed nothing to the improvements, while the Trust was deprived of a valuable source of income. We recommend that in all cases Improvement Trusts and similar authorities should be placed in a position to recoup themselves from the enhancement of land values which results from their efforts.

Land Acquisition Act.

We received considerable evidence indicating the serious difficulties experienced in connection with the acquisition of land for housing schemes initiated either by local bodies or by industrial employers. In a number of instances brought to our notice land eminently suitable for the development of housing schemes had been held at ransom by the owners, fantastic values being placed upon it as a result of the construction of factories and other industrial concerns in the neighbourhood. The Land Acquisition Act gives powers to Government to acquire land only when, after enquiry, it is satisfied that the land is required " for the construction of some work " and that " such work is likely to prove useful to the public ". What is or is not likely to prove useful to the public is a matter which rests entirely with the local Government. These powers are apparently intended to cover a larger variety of objects than those included in the definition of " public utility " contained in the Act of 1863. In practice, however, they are rarely put

into operation; and, judging from the purposes for which they have been used from time to time, there appears to be considerable uncertainty as to the class of cases to which they should properly be applied. Several applications from large industrial concerns in Bengal have been rejected within recent years, because Government was advised that these did not come under the definition laid down in Section 40 of the Land Acquisition Act. In their report the Indian Industrial Commission recommended that the local Government should acquire land compulsorily from private persons on behalf of an industrial concern, if certain conditions were satisfied. Discussing the question of industrial housing, the Commission also recommended that Government should use its power to acquire land on behalf of employers for the housing of labour subject to certain safeguards and that, at the cost of Government or the local authorities, land might also be acquired and leased to employers at easy rates for the same purpose. We consider that, where employers are willing to construct houses for employees, they should be assisted by Government to acquire the necessary building land, provided that the schemes have the approval of the Ministry of Health. We therefore recommend that the Land Acquisition Act be so amended as to provide that the housing of labour shall be deemed to be a work likely to prove useful to the public and that the definition of "Company" be so modified as to include industrial concerns owned by individuals or associations of individuals. These modifications do not seem to us to involve any change in the principles of the Act.

Cheaper Types of Houses.

Some of the type plans used by employers and others seemed to us to be unnecessarily expensive and, as it is of first importance to conserve financial resources, every effort should be made to evolve cheaper types. Acceptable designs will naturally vary from place to place according to the customs of the people, but experiments with different plans and materials cannot fail to prove advantageous. We have in mind the experiments carried out by the Empress Mills in Nagpur under the supervision of their welfare officer. There it has been demonstrated that two-roomed houses of suitable size, with adequate light and ventilation, can be constructed at a cost of Rs. 350 per unit. The development of schemes of these cheaper types would make the provision of decent workers' houses a much less remote contingency than it otherwise seems. In order to stimulate interest and to explore the best types, Government might consider the possibility of offering prizes for plans and specifications of working class houses, costing not more than a fixed amount.

Co-operative Building Societies.

A housing society on co-operative lines is being started by the management of the Calico Mills in Ahmedabad, the workers' share of the cost being advanced by the Company. Generally speaking, however, few attempts have been made to use co-operative building societies as a means to provide additional housing for the working classes. An

approach to the question along these lines would not only provide sanitary houses and remove congestion, but foster thrift and self-reliance among the workers. For example, Governments and local authorities could encourage the formation of co-operative building societies by permitting recognised societies to build in areas already laid out and prepared for housing schemes. Employers willing to improve the housing conditions of their own workers might also assist in their development by granting loans, by giving subsidies or by themselves carrying out part of the work of construction. The best results are likely to be secured by joint action.

Erection of Houses by Workers.

When suitable areas are cleared, provided with sanitary requirements and water supplies, and the land made ready for building, the public authority responsible might build plinths and then lease out the sites to workers, permitting them to erect houses to their own design under the minimum of supervision. A certain degree of supervision is essential in such cases. We found a scheme of the kind where loans were made to workers for the building and repair of houses, but no control was exercised regarding capacity, dimensions and materials, so that prevailing bad conditions were perpetuated. We suggest that such schemes would be greatly improved if specifications were incorporated in the agreement under which a loan is made. Under similar arrangements it might also be possible to provide houses for workers on a hire-purchase system. We were impressed with the possibilities of the scheme on these lines evolved by the Empress Mills in Nagpur, and we suggest that a wider use of this method might be considered by public bodies and by employers. On occasion it might be possible to open up land and permit workers to construct their own dwellings on plinths provided by the local authority, but here also municipal health departments should effect general supervision and insist on compliance with minimum requirements. A similar scheme has been put into actual practice in Jamshedpur. Roads have been laid out on an hexagonal plan in such a way as to leave abundant open spaces, and plinths are provided on sites arranged in groups to meet the customs and desires of different communities. This plan is only possible where building land is plentiful, but it is one which incorporates features with which the workers are familiar and is, therefore, the more likely to meet with success. Provision has been made for schemes of the same kind by several railways. Subordinate staffs are allowed house-building advances amounting to 12 months' pay to enable them to build houses for themselves. This facility, however, is not utilised to any great extent because of transfers and very rarely is it used by the lower-paid staffs.

Workers' Outlook.

We are aware of the workers' present shortcomings in respect of sanitary habits, but we feel that little attempt has been made in the past to assist them in reaching a higher standard. It has been suggested

to us that the Indian worker is generally contented with his lot and views with suspicion any attempt to improve his circumstances; but the keen competition which takes place for any vacancy in the houses provided by employers indicates that his desire for a sanitary and decent house and an improved standard of living is greater than is generally realised. There is also evidence that he is willing to pay something for decent quarters. Although verandahs and courtyards are rarely found, except in the organised settlements, the general preference of the worker is for the type of house where such additions are available. The verandah affords shelter in the hot weather and the rains, and, being open on at least one side, enables the worker to live a partly open-air life. The courtyard ensures privacy without the denial of fresh air and sunshine, and the two together help to some extent to reproduce village characteristics. One of the Cawnpore schemes for the betterment of housing conditions took due notice of these predilections and to that extent, if for no other reason, is deserving of commendation.

Action by Municipal Councils.

The necessity for additional legislation need not delay action by municipal councils and much preliminary work can and ought to be undertaken by these bodies. In the first place, only a minority have so far appointed qualified health officers and this defect should be remedied at the earliest possible opportunity, whilst municipal health organisations should also be improved and strengthened. Secondly, all bye-laws and regulations dealing with health, housing and sanitation should be revised and brought up to date. Under the existing law the duty is given to municipal councils of framing bye-laws on such matters, but instances are not wanting where these have never been prepared, and efficient enforcement of those in existence has rarely been practised. It should be the duty of the health officer, under instructions from his council, to see that all bye-laws are impartially and vigorously applied In particular, all applications for permission to erect new buildings or to alter existing ones should be closely scrutinised in order to ensure that the grant of permission will not result in increased congestion. This policy should be pursued, not merely in respect of dwelling houses, but also in respect of factories, workshops and all other buildings. It should also be possible to proceed with the preparation of plans for the improvement and extension of areas set apart for housing schemes; this is of special importance where existing industries are growing and new industries are being established. There is every reason for hoping that Indian industry will make a substantial advance in the future, and a little forethought now may prevent grave evils in years to come. We recognise that in all these matters progress will not be easy until the social conscience has been aroused. But we believe that the presence within municipal councils of even a few leaders determined that these bodies should accept responsibility would exercise an important influence in making the community face the situation.

Conclusion.

We do not claim to have prescribed in this chapter for all the evils associated with housing in the crowded urban and industrial areas, but we believe that, by a combination of the methods we have discussed, many of the worst features now in existence could be greatly improved or even eliminated. There can be no doubt that action is urgently necessary to counteract the serious effect on the health of the workers for which present conditions are responsible. Evidence is not lacking that part of the labour unrest which has characterised industrial development during recent years is due to the realisation, however vague, on the part of the worker that his standard of living is too low and that he can never hope to raise that standard until his home provides him with a degree of comfort which is at present beyond his reach. This awakening sense might well be used to give him a truer understanding of what can be done to place him in more sanitary surroundings and what he can himself do to further that end. Much thought, energy and money will have to be expended before an appreciable advance can be effected, but of the urgent necessity for such advance there can be no question and every humanitarian instinct should compel a united and continuous effort to that end.

CHAPTER XVI.—WORKMEN'S COMPENSATION.

The Existing Law.

Proposals for a Workmen's Compensation Act were first published by the Government of India in 1921 and met with general support. A committee which included persons representing the views of employers and workers met in Simla in 1922 and, with the assistance of the replies received to the Government of India's circular letter on the subject, prepared the main framework of a measure. With minor modifications, their conclusions were embodied in a bill introduced in the Legislative Assembly in that year. The bill, after being circulated for opinions, was considered and modified by a Joint Select Committee of both houses of the Indian Legislature, and was subsequently passed, with a number of minor amendments in the spring of 1923. It came into effect on 1st July 1924. Excluding verbal corrections, the Act has been twice amended. In 1926 an unimportant modification was made in order to render possible the ratification of an International Labour Convention, and in 1929 several amendments were made. These were designed to remedy admitted defects or to embody improvements of a non-controversial character. They did not involve any change in the main principles of the Act or in its more important features.

Proposals for General Revision.

At the time when these amendments were mooted, the Government of India also raised, in a circular letter, the question of a more general revision of the Act. They observed that the Act was admittedly an experimental measure, and that many of its features owed their origin more to a desire to minimise the difficulties attendant on the introduction of an entirely new measure than to any belief in their permanent value. And, in inviting suggestions for the improvement of the Act, they formulated a number of proposals and questions covering the more important points which arose in this connection. Copies of the circular and of the numerous replies which the Government of India received to it were supplied to us and have been of great assistance.

Character of the Act.

While the Act follows the British model in its main principle and a number of its provisions are directly borrowed from British legislation, it possesses important distinctive features. The main difference lies in the extreme rigidity of the Indian law. The attempt to leave as few openings for disputes as possible has resulted in a code which is necessarily arbitrary in its operation in particular cases, but we are satisfied that, so far as workmen are concerned, the advantages gained greatly outweigh the disadvantages. The inelastic character of the Indian Act is specially marked in respect of the scales of compensation, and while we consider that these scales should now be modified, we regard it as important that the existing precision of the scales should be conserved. Another feature of great importance is the reservation of the settlement of disputes to specially appointed commissioners, who are entrusted with wider powers than those granted to civil courts, and

whose procedure is specially prescribed. From their decisions an appeal is possible only in particular cases, and to the High Court alone. In a number of other directions, which will be evident from the discussion of the details of the measure to which we turn later, the Act contains provisions in some cases of a novel character, designed to meet the peculiar conditions of Indian labour.

Working of the Act.

The introduction of the bill was attended by considerable apprehension; the measure was one of a type entirely new to India and the migratory character of Indian industrial labour, the comparative paucity of medical and insurance facilities and the strong tendency to litigation appeared to raise problems which were much less serious in the countries on whose experience the legislature had to proceed. But the fears expressed when the bill was under consideration have been unrealised. The Act has proved remarkably smooth in its operation, litigation has been confined to most reasonable dimensions, and compensation has been secured for a large and increasing number of workmen with a comparatively small amount of expense and delay. So far as the administrative point of view is concerned, there is much to support the opinion of the Bengal Government that the Act has been an "unqualified success" and the fact that it has been largely followed in an Act passed in the Federated Malay States confirms the view generally held of it in India. In one important respect, however, we regard its success as incomplete for it is evident that, up to the present, workmen, and to a less extent their dependants, have not taken full advantage of the benefits conferred upon them by the legislature. We shall revert later to this question and merely note here that the comparative paucity of small claims under the Act has facilitated its operation during the earlier years and that this feature cannot, and should not, be permanent.

Causes of Success.

Such success as the Act has had must, we think, be attributed in the main to its extreme precision and to the special machinery set up for its administration. But the attitude of many employers and of a number of sympathisers with labour has been an important contributory cause. The larger employers, with whom the Act is at present mainly concerned, have generally shown great readiness to comply with its provisions, and have been reluctant to contest cases. Insurance organisations have been of great assistance, particularly in the large cities, and one of the most important employers' associations has been successful in operating a system of mutual insurance. On the other side, although the majority of trade unions have not yet realised the opportunities of useful work which the Act affords, some of them have done what they could on behalf of workmen; and their efforts have been supplemented by other sympathisers including, in at least one centre, a group of lawyers undertaking cases without remuneration.

Workmen Covered.

Passing to a more detailed consideration of the Act, the first and perhaps the most important question which arises is that of the persons

who should be entitled to compensation. The Act, as originally passed, aimed at the inclusion only of workmen whose occupations were hazardous and who were engaged in industries which were more or less organised. Thus the Act covered workers in all but the smallest factories, in mines, on the railways and tramways, on certain types of building work, and in certain less important branches of employment. Power was given to the Government of India to include by notification any other classes of workmen who were employed in occupations declared to be hazardous; but both in the notifications so issued and in the amendments to the schedule of "workmen" made by the legislature in 1929, the two conditions of organisation and hazardous employment have been generally observed.

Objections to Limitations on Classes of Workmen.

There are obvious objections on the ground of logic to both of these criteria and, indeed, to almost any other limitation on the classes of workmen who should be included. The effects of an accident upon a workman or his dependants bear little relation to the nature of the establishment in which he has been employed; the employer, unless he is connected with his workmen by family ties, is more likely to give compensation without being compelled to do so if his establishment is a large one. And while it is true generally that accidents are more frequent in organised industry than in other occupations, there are branches of employment which are not organised, but which are distinctly hazardous. Further, the fact that an industry is not hazardous, *i.e.*, that accidents in it are infrequent, in no way mitigates the effects of an accident when it does occur; if a worker is killed in a non-hazardous occupation, his dependants suffer no less hardship because the accident was an unlikely one.

Objections to Including all Workers.

At the same time, in the conditions at present prevailing in India, there are valid objections to the adoption of an all-embracing definition of "workman". For the mere enactment of a law giving all employees the right to claim compensation would certainly fail to prove effective, unless some form of compulsory insurance were adopted, and we do not think that, in present circumstances, such a step is reasonably practicable. The expense of collecting premia from a large number of small rural employers, most of whom carry on their work far from any important centre, would necessitate charges much higher in proportion to the risks involved than those at present levied from the large employers; and it would be almost impossible to secure effective administration of the Act.* Further, while a universal

*Mr Joshi and Diwan Chaman Lall desire to call attention to a scheme dealing with the control and administration of Workmen's Compensation furnished to the Commission by the General Council of the British Trades Union Congress and recommend to Government that the scheme be examined with a view to its possible application in India.

extension of the law might have the effect of securing compensation for some persons who otherwise would not receive it, we think the legislature should not confer rights on a large class of persons unless these rights can be made generally effective. Moreover, provision for compensation is not the only benefit flowing from workmen's compensation legislation; it has important effects in furthering work on the prevention of accidents, in giving workmen greater freedom from anxiety, and in rendering industry more attractive. But in present conditions in India, none of these advantages is likely to be secured in many, perhaps most, of the unorganised branches of employment by a general extension of the law. Finally, having regard to the large number of possible claims under the present Act that are not preferred, the administrative machinery cannot be regarded as having been fully tested as yet.

A Scheme of Extension.

While these considerations have led us to the conclusion that a general extension of the Act is not practicable, they do not preclude a substantial enlargement of the number of persons covered by the Act. In particular, the objections to a wholesale extension cannot be urged against the inclusion of non-hazardous employment of an organised character. Such an extension should involve no serious addition to the burden of administration, while it would have the effect of giving to a large number of persons protection against the results of accidents which, if they are comparatively infrequent, can cause no less distress on this account. Further, the Act at present is not rigidly confined in its scope to those engaged in fully organised branches of industry. It aimed at the inclusion of industries which are more or less organised, but some of the establishments which come within its ambit have little organisation. We consider that a gradual extension in this direction is desirable, particularly where unusual hazards are involved. To sum up, we consider that the method of advance should be to include first workers in organised branches of industry, whether these are hazardous or not, and secondly to extend the Act gradually to workers in less organised employment, beginning with those who are subjected to most risk. The recommendations which follow aim at the inclusion of as many as possible of the first group of workers and of some who fall within the second group. Thereafter we consider that the powers conferred upon the Government of India in Section 2 (3) of the Act should be used to secure the gradual inclusion of further branches of hazardous employment. The experience so gained should be of assistance in determining, at a later stage, whether further large extensions of the Act are desirable.

Expansion of Existing Classes.

Applying these general considerations, we proceed to indicate some classes whose immediate inclusion seems desirable, and we deal first with some sections of industry which are mentioned in the Act. In respect of factories, the Act at present applies only to factories as defined in Section 2 (3) (a) of the Factories Act. It thus excludes factories

notified by the local Governments under Section 2 (3) (b). Suggestions have been made to us that these should also be included. But we do not think that the question of the inclusion of factory workers within the scope of the Workmen's Compensation Act should be bound up with that of bringing these factories under the Factories Act; it is preferable that the factory workers to whom the former Act applies should be clearly specified as at present. We recommend the extension of that Act to factories using power in aid of a manufacturing process and employing not less than 10 persons on any one day of the year and also to factories carrying on manufacturing processes without the use of power, if not less than 50 persons are employed on any one day. In the case of mines, the Act at present applies to all mines subject to the operation of the Mines Act. This provision is open to the objection referred to above in the case of factories, for it is possible for the Government of India to exclude any mines or classes of mines from the operation of the Mines Act. The effect of exclusion, which may be necessitated by administrative considerations applicable solely to the Mines Act, is to deprive workers of their right to compensation. We recommend, therefore, that the Workmen's Compensation Act should apply to workers in all mines except those open quarries in which less than 50 persons are employed and in which no explosives are used. This last qualification is advisable, because the clause relating to blasting operations might be regarded as covering only those engaged in such operations, and not all who are liable to be placed in jeopardy thereby. In respect of dock workers, we recommend an extension of the definition to cover all classes of workmen employed in docks. In respect of oilfields the definition, which is apparently intended to exclude non-hazardous employment, should be enlarged by the excision of the specific occupations given in the clause relating to the industry. In the clause relating to building work, we recommend the exclusion of the reference to industrial or commercial purposes and the inclusion of all permanent bridges. Even with these extensions, the Act would fail to include a large number of workers engaged in building and other outdoor constructional work who satisfy both the criteria originally laid down, and the application of our methods will involve a large extension. We deal with further classes of such workers later.

Seamen and the Act.

The case of persons employed on ships requires fuller consideration. The Act at present applies only to those engaged on sea-going ships registered under Indian Acts, on the larger coasting ships registered under those Acts and on the larger inland steam vessels. The great majority of Indian seamen, however, are engaged on ships registered outside India, and mainly on British ships. These have no statutory claim to compensation under the Indian Act; but they have the protection of the British and other Workmen's Compensation Acts. It is, however, in most cases a difficult matter for them to avail themselves of this protection, and their dependants find it even more difficult. For example, if a seaman is killed while engaged on a British

ship plying between Calcutta and the Far East, and compensation is refused, his dependants must prosecute the claim in Great Britain. This difficulty has been to some extent overcome by an arrangement in which practically all the shipping companies employing Indian lascars have co-operated. Under this arrangement, the shipowner and the seaman, at the time of signing the articles, enter into an additional article of agreement by which, in the event of accidents, compensation in accordance with the Indian Act can be claimed by seamen who do not prosecute claims elsewhere, and the Commissioners under the Indian Act are accepted as arbitrators in the event of disputes. On the whole, this arrangement appears to have worked smoothly but it cannot be regarded as entirely satisfactory. In the first place, it is apparently within the option of the shipowner to refuse to enter into the agreement. In the second place, according to our information the agreement does not give the dependants a legal claim, although employers have not taken advantage of this loophole. Finally, the proceedings of Commissioners are not proceedings under the Indian Act, and various safeguards in the Act and Rules, such as the provisions relating to appeals, agreements, etc., are inapplicable.

Further Protection for Seamen.

It is not possible, by means of the agreement, to place a seaman in precisely the same position as if he was included in the Indian Act; but certain defects in the present system can be removed. We recommend that steps be taken to ensure that dependants are capable of enforcing the agreement. We also consider that steps should be taken to ensure that all shipowners engaging Indian seamen shall enter into the agreement. We understand that the Indian Government has power to insist upon this. The only point to consider is the propriety of exercising compulsion so long as there is a possibility of a double claim, *i.e.*, a claim under the agreement and a subsequent claim in Britain or elsewhere under the law applicable to the ship. Perhaps there is no practical force in this objection, for it may be assumed that Indian seamen and their dependants in India would ordinarily be quite unable to pursue claims in Britain or elsewhere, and even if they did, any amount already paid would presumably be set off against the claim by the British or other court. But we may suggest that before making the agreement compulsory, Government might ascertain whether, in fact, there have been any double claims, and whether the danger of double recovery is a real one in practice. The extension of the agreement will not be completely equivalent to bringing Indian seamen under the Indian Act, and Indian seamen are naturally anxious that this Act should be extended to them while serving on any ship. But it is a general principle of international law that, on a ship belonging to a particular country, the law applicable while on the high seas is the law of that country and those who embark, whether as seamen or passengers, on foreign ships go outside the protection of their own laws for the time being. This principle can, we understand, be modified by reciprocal arrangements between the countries concerned. In the present case the country principally concerned is Great Britain

as the great majority of Indian seamen serve on British ships. We recommend that the possibilities of giving Indian seamen the right to compensation, while serving on ships registered outside India, should be further explored by the Government of India and the Home Office. Special attention should be given to the possibility of extending the Indian Act to Indian seamen while serving on all ships within India's territorial waters and on British ships engaged in the coastal trade of India. The endorsement by the recent Imperial Conference of certain recommendations made in 1929 by the Conference on the Operation of Dominion Legislation and Merchant Shipping Legislation gives some reason for hoping that an advance will be possible in this direction.

We also recommend the reduction of the limit of tonnage for sea-going and coasting ships to 50 tons. We consider that the time is now ripe for the inclusion of more persons employed on inland vessels. The Act might safely be extended to cover those employed on all inland vessels propelled by steam or motor engines and also to the more important public ferry-boats not so propelled.

Fresh Classes.

Passing to occupations which are not mentioned in the Act, the largest class whose inclusion we recommend consists of workers in organised plantations. The limit should be set at plantations employing not less than 50 persons on any one day, and our recommendation is limited to workers in tea, coffee and rubber plantations and plantations run by Government. We have not sufficient knowledge to judge of the extent to which it is desirable to include the employees of the larger agricultural employers and those employed in reserved forests, and in any case a discussion of this question would tend to take us outside our terms of reference ; but the point deserves examination.

The development of motor transport on an organised scale has given rise to another class of workers whose inclusion is necessary. We recommend the inclusion of all persons engaged in the operation and maintenance of mechanically propelled vehicles which are maintained for the transport of passengers or for commercial purposes.

We have already referred to outdoor constructional work. Here a further immediate extension is desirable, and we recommend the inclusion of workmen engaged in the construction, maintenance or demolition of canals, sewers, public roads, tunnels and aerial ropeways and pipe lines for the supply of gas, water or oil. Workers similarly employed in connection with dams, embankments or excavations should also be included : we suggest that at present a height (or depth) of 20 feet might be a suitable limit. Finally we recommend the inclusion of persons employed in connection with the generation and distribution of electrical energy.

Numbers Involved.

The inclusion of the classes which we have indicated, rather than defined, in the preceding paragraphs will have the effect of adding

perhaps 2,000,000 workers to the number (estimated at 4,000,000) already included. But the increase in the number of possible claims will be by no means proportionate. We desire to reiterate that the extension of the Act should not cease, or be suspended, with the inclusion of these classes: and we hope that, as in the past, the Government of India will continue to add fresh classes as further experience becomes available.

Qualifications of Definition of "Workman".

Before leaving the question of the definition of "workman", some comments must be made on the general qualifications of that definition. The exclusion of the armed forces of the Crown is said to deprive certain dock and factory workers employed by the Royal Indian Marine of the right to compensation, and it is desirable that the exception should be modified, if this is necessary, in order to include persons who, though falling within the present exception, are genuinely industrial workers. The exception relating to casual labour is suitable, but we doubt if the reference to manual labour serves any useful purpose; there would appear to be no manual labourers in India in receipt of over Rs. 300, and we think that the monetary limit should be sufficient.

Existing Scales.

The present scales of compensation may be briefly summarised. For temporary disablement the scale is based on half the rate of wages, the waiting period is fixed at 10 days and the maximum period of payment at 5 years. For complete permanent disablement the sum payable is 42 months' wages; and for partial permanent disablement compensation is fixed at fractions of this amount corresponding to the loss of earning capacity, that loss being arbitrarily fixed for certain injuries by a schedule on the American model. For death the compensation is 30 months' wages. These scales apply to adults; for minors the compensation for temporary disablement is at the rate of two-thirds wages up to 15 years of age and full wages thereafter, and for permanent disablement the number of months' wages is double that prescribed for adults. For death in the case of minors a fixed small sum is payable, irrespective of wages. All the other payments which are regulated by wages, are subject to minima and maxima. In the case of the death of adults and all permanent disablement the maximum corresponds to a wage level of roughly Rs. 83 per mensem, and in the case of temporary disablement to a wage level of Rs. 60, *i.e.*, the receipt of wages in excess of those sums does not add to the compensation. The minimum in all cases (except the death of minors) corresponds to a wage of Rs. 9. The amounts are rounded by means of a schedule of assumed wages, which has the effect of dividing workmen into 14 classes; all workmen in the same class get compensation on the same scale.

Lump-sum Payments.

The most striking feature of these scales is the preference shown for lump sums as against recurring payments. Lump sums are invariably due from employers for death and permanent disablement, although

in the case of sums due to women and persons under a legal disability, the Commissioner can invest the sums deposited with him or deal with them otherwise for the advantage of the recipients. Recurring payments are made only for temporary disablement; and these can be commuted at any time to a single payment by agreement between the parties, while either party has a right to commutation after payments have been made for six months. The continuance of this system is favoured by employers generally, and workmen also appear to prefer lump-sum payments. The opinion of the trade unions is divided, and it is possible that some of those who advocate a greater use of recurring payments do so in the hope that larger amounts would thereby be payable. The opinion of those who are concerned with the administration of the Act is, on the whole, strongly opposed to any substantial change of the present system, though some would give power to the Commissioners to disburse compensation by instalments, without altering the character of the employers' liability.

Expenditure of Lump Sums.

The two main considerations are the use which is likely to be made of the money and the question of administration. Experience in other countries generally tends to the conclusion that recurring payments are more beneficial to workmen and their dependants, as a large sum disbursed to them is apt to be squandered. And some of the witnesses who appeared before us (including some employers) thought that the lump sums now paid were generally squandered. But we received on the whole more evidence to the contrary effect. That the sums are dissipated in a number of cases is probable; but the ordinary Indian workman and his dependants in the village have a very acute realisation of the value of money, and are in most cases in a position to derive substantial advantage from a capital sum. Many are enabled to liquidate debts on which they are paying, as interest, charges far exceeding any recurring payments that could be regarded as equivalent to the capital sum involved. The purchase of a plot of land is a method commonly adopted in other cases, with beneficial results, and we have come across other sound methods of investment. And while substantial sums are doubtless spent on marriages, expenditure of this kind is usually undertaken out of no love of extravagance, but because of the pressure of social customs; some such expenditure is obligatory even upon the man who has no capital, and the possession of ready money saves ruinous charges on account of interest. While the evidence is hardly sufficient to justify an emphatic view, we are inclined to the conclusion that the benefit generally derived from the sums received is greater than that which would accrue from recurring payments on an equivalent scale.

Lump Sums and Administration.

From the administrative point of view, any large extension of a system of recurring payments would introduce serious complications. In most cases long distances separate the recipients from the source of the money, and there is no doubt that hitherto the

working of the Act has been greatly facilitated by the stress which it lays on lump-sum payments. The question of administration is one to which great importance must be attached, particularly if a large number of fresh workmen are to be brought within the scope of the Act. Quite apart from the administrative difficulty and expense of transferring a series of small sums from industrial areas to distant villages, often in different provinces, the recipients of such sums would probably be subjected in many cases to serious inconvenience, if not harassment, while there is a distinct danger that the sums might not reach them without some deduction. Both from the point of view of those entitled to compensation and of the administration, we consider that it would be unwise to alter the existing system. There is no great objection to giving Commissioners the same powers of investment, etc., of money due to men as they at present possess in the case of women and children, but such a change is certainly not desired by workmen, and we do not recommend it.

Dependants.

Another unusual feature of the Act is the method of payment for fatal accidents to adults. A list of dependants is given, but the amount of compensation is independent of both the number of dependants and the degree of their dependence. If any relative named in the list of dependants is found, the whole of the compensation must be disbursed, even though no surviving relative was actually dependent. The Commissioner has the sole responsibility of deciding which of the dependants should receive compensation and how the compensation should be divided among them. These arbitrary provisions naturally produce anomalies in some cases; it has happened that substantial sums were given to persons who were not dependent on the deceased. But this is rare; the great majority of adult Indian workmen leave widows and other close relations: and the absence of any requirement of proof of dependence is ordinarily a great boon to those who have the best title to compensation. Various modifications in the present system are possible and we have received a number of suggestions, but we agree with the view of the Commissioner for Workmen's Compensation, Bengal, that the choice lies between the maintenance of the present system and a complete change to a system such as that of the British Act, which makes compensation vary with the degree of dependence and the number of dependants and requires proof of dependence. Each system has obvious advantages; but we are of opinion that for India a continuance of the system at present in force is, for some time at any rate, much the wiser course. The only change we suggest is the addition of widowed sisters and widowed daughters to the list of relatives ranking as "dependants".

Minimum and Maximum Scales.

In respect of the actual scales, we are of opinion that a substantial enhancement is desirable, in the case both of the more poorly paid workmen and of those in receipt of high wages. The present minimum is so low as to be practically inoperative. for the adult

wage is seldom as low as Rs. 8 monthly; and, in our view, an allowance of half-wages is too small when the wage is low. We recommend that, for adults in receipt of not more than Rs. 30, payments for temporary disablement be based on two-thirds of wages, and for minors on the full-wage rate. The scale should be subject to a minimum of Rs. 5 for each half-monthly payment, in place of the present minimum of Rs. 2, but the rate of compensation should not, of course, exceed the rate of wages. This will result in all adults in receipt of not more than Rs. 15 monthly getting full wages during temporary disablement (except during the waiting period). No person receiving more than Rs. 30 a month should receive less compensation than he would have got if his wage had been Rs. 30. Further, we recommend the fixing of the minimum compensation for death in the case of adults at Rs. 600 and for complete permanent disablement at Rs. 840. The minima for partial permanent disablement should be correspondingly raised. This is equivalent to making the minimum wage for compensation, except in the case of temporary disablement, equal to Rs. 20. At the other end of the scale, we consider that the maxima are unduly low. The workman on Rs. 250, if temporarily disabled, gets no more than the workman on Rs. 60; if he is permanently disabled, he gets the same as the workman on Rs. 80.

Proposed Scale.

We recommend enhanced compensation on a scale which can be most clearly indicated by giving the alterations necessary in Schedule IV. In place of the fourteen existing wage classes, we would make seventeen, the upper wage limits for which should be (in rupees) 10, 15, 18, 21, 24, 27, 30, 35, 40, 45, 50, 60, 70, 80, 100, 200 and 300. Except in the last two classes, the assumed wage should be the highest wage of the class and not, as at present, the mean wage. Thus the eighth class would consist of persons receiving more than Rs. 30 but not more than Rs. 35 and the assumed wage for that class would be Rs. 35. The division into two classes of those getting not more than Rs. 15 will affect minors only, and the compensation for death or permanent disablement to adults will be identical for the first three classes and will be based on a wage of Rs. 20. We recommend for the last two classes assumed wages of Rs. 125 and 150 respectively, and that the maximum half-monthly payment, which is at present Rs. 15, be raised to Rs. 30. The changes in the method of calculating assumed wages will produce a small enhancement in the general level of the scales, apart from the substantial enhancements arising from the raising of both the minima and the proportion of wages payable to the poorer workmen; while the effect on workmen at the top of the scale will be marked. If our recommendations are adopted the maxima for death and permanent total disablement will be raised from Rs. 2,500 and Rs. 3 500 to Rs. 4,500 and Rs. 6,300 respectively, while all workmen getting over Rs. 100 a month will receive compensation for temporary disablement at the rate of Rs. 60 a month. The compensation in the case of fatal accidents to minors should not be changed; and, as at present,

compensation for permanent total disablement to minors should be equivalent to 84 months' wages. Provision for an increase at the age of 15 years in the rate of compensation to minors temporarily disabled will no longer be required, and it is unnecessary to repeat in sections 4 (*1*) A (*i*) and 4 (*1*) B (*i*) of the Act maxima which are determined by Schedule IV.

Waiting Period.

Under the Act, as it stands at present, no compensation is given for the first ten days of temporary disablement. This is an unusually long waiting period, and numerous suggestions have been made that compensation should be given for part or the whole of it, either to those whose disablement lasts for more than 10 days or to those disabled for shorter periods, or to both. The argument against a reduction of the period for the benefit of those who are disabled for less than 10 days is that it would result in a very large increase in the number of possible claims, in each of which the amount of compensation would be trifling. The argument against reducing the period for those who are disabled for longer periods than 10 days (*i.e.*, for what is known as " dating-back ") is that it has led elsewhere to malingering, and some of those competent to judge fear that it would have the same effect in India. This danger could be minimised by adopting a system of graduated dating-back, such as has been suggested by one or two witnesses, but if the waiting period is to be reduced, it is preferable that it should continue to be governed by a provision easily intelligible and simple in working. While the fact that, under our proposals, the most poorly paid workmen receive full wages when temporarily disabled necessitates caution, we think that, with the low standard of living prevalent in Indian industry and the consequently small resources of the Indian workman, the present period is unduly long. Following the advice of some of the most experienced witnesses, we recommend the reduction of the period from 10 days to 7 in all cases.

Exceptions.

In respect of the conditions governing the grant of compensation, a considerable amount of criticism has been directed against the exceptions embodied in the second proviso to Section 3 (*1*) of the Act. These three exceptions operate to remove the liability of the employer to pay compensation when the accident is due to specific misconduct on the part of the workman, *e.g.*, intoxication by drink or drugs, wilful disobedience to certain rules and orders and wilful removal of safety devices. In the case of a fatal accident, the hardship falls on those who had no responsibility for the misconduct. This last argument cannot be pressed far, for a man's family benefit from his achievements and must ordinarily accept the consequences of his mistakes; but there are additional reasons for making the exceptions inapplicable to fatal accidents. Where a workman is killed, it is extremely difficult for dependents to rebut evidence that the accident was caused by the deceased's misconduct. This is specially true where the employer's defence is that the workman disobeyed a safety rule, *e.g.*, a rule against cleaning machinery in motion.

Of the exceptions, this is the one most commonly invoked, and there is reason to fear that this defence has resulted occasionally in the rejection of equitable claims. Moreover the withholding of compensation for fatal accidents which are covered by the exceptions gives rise to great hardship to individuals and is not likely to have any appreciable educative effects on other workmen. We recommend that the exceptions should not apply in the case of fatal accidents. The case for abrogating the exceptions in other classes of accidents is less strong, but having regard to the hardships which result, the majority of us consider that similar protection should be extended to workmen whose injuries involve the permanent loss of 50 per cent or more of their earning capacity. Sir Victor Sassoon and Sir Alexander Murray join in the recommendation that the Act should be amended to enable compensation to be claimed in all cases of fatal accidents, even though due to misconduct. They, however, do not consider that an employer should be held liable for a non-fatal accident that is directly attributable to intoxication, wilful disobedience or wilful removal or disregard of any safety device. In a case of death the dependents may experience difficulty in rebutting evidence that the accident was due to misconduct. In a non-fatal case, the injured workman is in a position to contest the evidence of his employer, on whom lies the onus of proof that the injury was actually due to specific misconduct.

Industrial Diseases.

The provisions relating to compensation for industrial disease have seldom been invoked, and the Government of India have utilised the power to schedule further industrial diseases on only one occasion when they added "Mercury poisoning or its sequelae". This disease, however, was added, not because it was prevalent in India, but in order to meet the requirements of an International Convention. Whilst we do not think that the incidence of industrial diseases is high, they are probably more common than is generally realised and more varied than Schedule III of the Act would suggest. We have had brought to our notice some evidence of industrial dermatitis and chrome poisoning and we believe that certain industrial diseases such as anthrax are to be met with and that only a proportion of these cases are ever seen by a medical officer. This is largely due to failure on the part of the worker either to seek medical treatment or to seek treatment from a doctor experienced in diagnosing such diseases. It is probable also that, under present conditions, industrial diseases are frequently unrecognised, and that others will be discovered when investigations are carried out. In these circumstances, we consider that the matter deserves more attention than it has hitherto received. We have dealt elsewhere with industrial diseases generally, and recommended the method which Government should adopt in order to obtain further information concerning their incidence. In the meantime employees may be placed at a disadvantage if certain diseases are omitted, whilst employers may be involved in litigation based on untrustworthy medical evidence, if wide additions are made to the existing Schedule before necessary investigations are made into the whole subject. We therefore recommend two additions to Schedule III. These are

(*a*) poisoning by benzene and its homologues or sequelae, and (*b*) chrome ulceration or its sequelae. For the purposes of the Schedule, the descriptions of the processes in which these conditions might occur may be taken as (*a*) handling benzene or any of its homologues, or any process in the manufacture or involving the use thereof; and (*b*) any process involving the use of chromic acid or bichromate of ammonium potassium or sodium or their preparations.

With the exception of Sir Victor Sassoon and Sir Alexander Murray, we desire to point out that Section 3 (*4*) of the Act which limits liability for non-scheduled diseases to those "*solely and* directly attributable to a specific injury" is unduly stringent in its wording and we recommend the excision of the words in italics.

Commissioners.

We turn now to questions relating to administration and procedure. As we have already stated, the administration of the Act and the settlement of disputes under it devolves on Commissioners specially appointed by the local Governments. The type of officer selected for these appointments differs from province to province. In Bengal workmen's compensation work for the whole Presidency has been entrusted to a judicial officer who received a special training for the purpose, and who, although he has still some other judicial work, is mainly occupied with workmen's compensation. In Bombay the Director of the Labour Office acts as Workmen's Compensation Commissioner for Bombay City and Island and for the leading industrial centres elsewhere, while certain judges act as Commissioners in the non-industrial districts. The effect of this arrangement is that the great bulk of the work is done by an officer who is an expert in labour matters and who is able to bring special knowledge to the subject and to devote special study to it. In Madras the position is somewhat similar, as the Commissioner of Labour acts as Workmen's Compensation Commissioner for the whole Presidency. In other provinces the work is generally done by selected judges or magistrates, some Governments showing a preference for judges and some for magistrates. If a magistrate is entrusted with the work, it is the District Magistrate who is appointed, except in rare cases (*e.g.*, in Jamshedpur, where no such officer is stationed). Thus the present position is that, while there is no whole-time Workmen's Compensation Commissioner in any province, nearly all the work in each of the three Presidencies of Bengal, Bombay and Madras is entrusted to a single officer with special qualifications; elsewhere the responsibility rests on judicial and executive officers whose jurisdiction extends, as a rule, to a single district.

Specialist Officers.

The administration of the Act by specialist officers has given general satisfaction, and we have no doubt that generally it is by far the best method. The evidence indicates that the district officers' courts are inadequately equipped for dealing with Workmen's Compensation claims, that their procedure is too often dilatory and that in some cases they are

imperfectly acquainted with the law and procedure. On the whole, magistrates, in spite of their less thorough legal training, probably find it easier than do most civil court judges to accommodate themselves to the requirements of these posts, with their unusual combination of extra-judicial and judicial duties, and we received evidence of some value from magistrates who had experience as Commissioners in industrial centres. But the work demands specialist knowledge and a specialist outlook which is not very easy to acquire. Moreover when an executive or judicial officer has obtained experience, he is liable to be transferred to a district where he has small concern with the Act, and to be replaced by an officer who has little experience of the subject. It is not surprising, therefore, that there should be demands from organisations closely concerned with the Act for the appointment of specialist Commissioners in all provinces.

Administrative Arrangements Recommended.

The only objection to such a step arises from the immense area to be covered. In all districts, except the few that are of industrial importance, cases are uncommon and are likely to remain so for some time to come. An officer situated within the district, if he is willing to give some attention to the subject, should be more effective than a better-qualified Commissioner, who may be situated at a long distance and may be unable to visit the district to decide a case. We are not prepared, therefore, to recommend the adoption of any absolute rule. But we consider it desirable that in every major province, there should be at least one officer who can be regarded as a specialist in the subject. He need not be a whole-time officer, but continuity of tenure is important, and the appointment should not be linked with one in which transfers are frequent. We suggest that he should be made Commissioner for the district or districts of chief industrial importance, and for as many other districts as he can effectively cover. This should leave only the comparatively unimportant areas to less expert officers, who might be enabled to have the assistance of the specialist officer. We note that the Act does not contemplate more than one officer exercising jurisdiction in the same area. It seems to us that, apart from the general desirability of having more than one officer capable of disposing of a particular dispute, the appointment of an additional Commissioner would have other advantages in some areas. For example, if additional Commissioners could be appointed, it would be possible to give a specialist Commissioner general responsibility for a wide area, with power to devolve work in outlying areas as occasion demanded. But whether this proves feasible or not, we are convinced of the desirability of entrusting the working of the Act, as far as possible, to specialist Commissioners.

The Increase of Claims.

An additional argument in favour of a change in this direction is afforded by the increase in the number of claims and disputes without any substantial addition to the classes of persons who are "workmen". The following table gives the number of cases filed before Commissioners from the inception of the Act to the end of 1929, and also shows the

number of claims returned as paid by employers. The latter figures represent only the principal branches of industry affected by the Act and they are probably incomplete in other minor respects; but they afford a sufficiently accurate indication of the rate at which claims have increased. The recommendations we have made will tend further to increase these claims.

	Year.	1924 (6 months).	1925.	1926.	1927.	1928.	1929.
Before Commissioners.	Proceedings ..	106	629	874	1,239	1,299	1,418
	Applications for Registration.	48	427	610	711	906	1,067
	Total ..	154	1,056	1,484	1,950	2,205	2,485
Paid by Employers.	No. of claims ..	4,168	11,371	14,096	15,216	14,827	18,865
	Rupees ..	1,50,224	6,44,120	8,21,476	11,11,254	10,95,730	12,60,164

Knowledge of the Law.

It is evident from these figures that Indian workmen and their dependants are only gradually coming to a realisation of their rights under the Act, and this process is still far from complete. That there are large numbers of workmen who do not receive compensation when it is due to them would be clear, even if other evidence were not available, from the low proportion of claims made on account of disablement. The ratio of claims paid for permanent and temporary disablement to claims on account of death is much smaller than the ratio of non-fatal to fatal accidents even when due allowance is made for the effect of the waiting period in excluding claims. It is possible that a number of claims are not pressed because the amounts are trifling, or because the workman has received other benefits, such as hospital care or medical treatment, or because of the difficulties in the way of securing payment; but there must be a considerable number of possible claims which are not put forward because of ignorance of the law. We have given some consideration to possible remedies for this state of affairs. We have commented elsewhere on the fact that in most cases little is done to acquaint workmen with changes in the law made by the legislature for their express protection or benefit. When measures of any importance are passed, steps to this end should be taken by local Governments, by the distribution of translations, or preferably summaries in the vernacular, of the new provisions of the law. Although a knowledge of the Workmen's Compensation Act is spreading steadily in industrial areas, it would still be of service if pamphlets summarising its provisions were made readily available to workmen; and if, as we hope, the Act is substantially amended, prompt steps should be taken to diffuse information of the amended law to those who are specially concerned. By such methods, and with more intense work on

the part of trade unions, knowledge of the law, which is evidently being diffused rapidly already, should become general among workmen.

Ignorance of Dependants.

We doubt, however, if these methods will be adequate in the case of dependants and, having regard to the special difficulties in their way and to the great importance of ensuring that they do not lose the benefits of the Act through ignorance, their case demands further examination. Although it is satisfactory to note that the proportion of claims paid to possible claims is higher in cases of death than in cases of either permanent or temporary disablement, there are still cases where compensation for a fatal accident should be and is not claimed; and it is our opinion that, unless steps are taken to give some assistance to dependants in the matter, it will be long before they are able, as a class, to take full advantage of the Act. In many cases they live hundreds of miles from the industrial areas, and too often they communicate only at long intervals with the workman whose dependants they are; on occasions they must be ignorant of his whereabouts, and they may not hear of his death until some time has elapsed. In most cases, moreover, the dependants with the best claim are women and children. The spread of a knowledge of the law in industrial areas should not be difficult and is, to some extent, inevitable, but a long time must lapse before that knowledge can be generally diffused in the countless distant villages where so many dependants live.

Procedure in Fatal Accidents.

After examining various alternative suggestions made to us in this connection, we consider that the best method of overcoming the difficulties would be to ensure that notices of fatal accidents are given to the Commissioner. The employer should be required to send with the notice, either the amount of compensation due (and the particulars necessary to enable the Commissioner to check that amount) or a statement disclaiming liability, with the grounds on which compensation is withheld. The notice should be compulsory in the case of all fatal accidents occurring to employees while they are on the employer's premises or while they are on duty elsewhere. A notice will thus be required in some cases in which the accident has not arisen in or out of employment; in such cases it will be for the employer, in forwarding the notice, to set out clearly the circumstances which relieve him from liability. On receipt of a notice accompanying compensation, the Commissioner would take steps to distribute the amount; on receipt of a notice disclaiming liability, it would be the duty of the Commissioner to satisfy himself that the grounds for such disclaimer were adequate. If he was not so satisfied, he might either call upon the employer to show cause why he should not be ordered to deposit compensation, or ascertain the whereabouts of the dependants and inform them that it was open to them to prosecute a claim. If he took the former step, it would not, of course, prevent him so informing the dependants at any stage; nor would such proceedings act as a bar to any subsequent claims by a dependant. We do not think

that preliminary proceedings of the kind suggested (which have an analogy in other classes of cases) should impair the confidence of any party in the impartiality of the Commissioner in any subsequent contested proceedings between the employer and the dependants; but if the suggestion we have made earlier of appointing additional Commissioners is adopted, another tribunal would be available to which subsequent proceedings could be transferred if necessary. It should be added, however, that if the Act is extended to any large extent to unorganised branches of industry, there may be difficulty in enforcing these provisions in such branches. In the case of fatal accidents to seamen on the high seas, shipping masters should transmit to the Commissioner concerned copies of the report made to them under the Merchant Shipping Act.

It is also possible, and in our opinion desirable, to introduce simplifications in procedure which will benefit dependants and others claiming compensation without prejudicing employers. As the Act stands at present, a dependant claiming compensation must approach the employer first and endeavour to secure agreement with him. But, as the Government of India have pointed out, the employer is obliged to pay the compensation to the Commissioner, and the dependant cannot make any binding agreement with the employer. We agree, therefore, that it should not be necessary for the dependant to approach the employer, *i.e.*, that in fatal accidents the claim may be preferred at once to the Commissioner.

Notice of Accidents.

Further, the provisions regarding notice are unduly stringent in their terms. We think it a wise provision that notices must be written but in other directions some relaxation is desirable. It is true that the Commissioner has wide powers to dispense with the necessity of a notice; but there are a number of cases in which no notice is really necessary and some of these might be specified in the Act. Thus notices should be declared to be unnecessary in fatal accidents, if the accident occurs on the employer's premises and the workman dies on any premises of the employer or at the place where he was resident at the time of the accident (without having left the vicinity). Further, it should be definitely specified that, in all cases, want of notice or a defect in a notice should not bar proceedings if the employer is proved to have had knowledge of the accident from any other source at or about the time it occurred. These exceptions should not be regarded as substitutes for the general power of making exceptions vested in the Commissioner, which should remain as at present. We understand that, when the rules of procedure were originally drawn up, the Government of India contemplated the possibility of requiring certain employers to maintain books for notices of accidents similar to those prescribed for certain establishments in Great Britain; but they came to the conclusion that the Act did not empower them to act in this manner. We recommend that local Governments be authorised by law to require the maintenance of such books by any classes

of employers. Notice books, if effectively maintained, are of assistance to both employers and workmen; and, in spite of the illiteracy of many Indian workmen, books might be utilised in some branches of industry.

Funeral Expenses.

Our attention has been drawn to the fact that the provisions relating to the payment of funeral expenses of deceased workmen are unsatisfactory. Until 1929 the Commissioner had discretion to deduct from the compensation payable to the dependants the actual funeral expenses of the workman up to a maximum of Rs. 50. During the passage through the legislature of the amending bill of 1928, a change was introduced with the result that the employer can now make to any person by whom the funeral expenses are to be or have been incurred a payment of not more than Rs. 50 for such expenses and deduct that payment from the compensation. We understand that the object of the alteration was to encourage the employer to make advances for funeral expenses by giving him the certainty that such advances would be deducted from the compensation. But the Commissioner cannot question the suitability of the amount paid, nor is he entitled to satisfy himself that the whole amount has been spent on the funeral. This is capable of abuse, and in three cases brought to our notice from Bengal, the employer reported that he had paid the maximum sum to his own sardar for funeral expenses; in one of these cases the total compensation payable was only Rs. 360. We are in sympathy with the aim of the amendment made, but recommend that it should be attained by preventing the funeral expenses from being deducted from the compensation which has to be deposited, and providing instead that, on the deposit of the compensation, the Commissioner shall deduct the actual cost of the workman's funeral expenses up to the prescribed limit and pay them to the person who has incurred them. We consider that for such expenses Rs. 50 is too high a limit and recommend the substitution of Rs. 25.

Minor Points of Procedure.

We desire to add our views on a number of points of minor importance mainly relating to procedure.

(*i*) The provisions of the Act in respect of proceedings against contractors have been shown to be defective in one respect. There is little evidence to show that the defect has much practical effect, but it would be an improvement if sub-section 12 (2) were amended so as to enable a principal to recover compensation from any person from whom the workman could have recovered compensation.

(*ii*) In cases where compensation is required to be deposited with the Commissioner, and the amount deposited is less than the amount due under the Act, the Commissioner should have the power to require a further deposit to be made.

(*iii*) It is apparently doubtful if the Commissioner can withhold the payment of compensation deposited with him, or suspend the operation of an order directing the employer to pay compensation, pending an

appeal to the High Court. The Government of India have therefore suggested giving the Commissioner and the High Court the necessary powers to prevent the disbursement of money which may be found ultimately not to be due to the recipients. This suggestion has met with approval from many of those consulted ; but apprehension has been expressed that the amendment might inflict great hardship on dependants and others owing to the long time frequently necessary for the decision of an appeal. We see no satisfactory way of eliminating this risk ; but it would be possible to minimise it by requiring employers who apply for the withholding of the compensation to deposit a substantial amount with the Commissioner, *e.g.*, Rs. 100 or some fraction of the compensation, which, if the necessary order was passed, would be treated as a fee and distributed for purposes of maintenance to the dependants. As a matter of fact, appeals are only possible if a substantial question of law is involved, and their importance to the employer lies, in many cases, not in the sum at stake but in the question at issue.

(*iv*) We think that the Act should make it possible to impose a fine for failure to furnish any return required by it. A similar penalty should be prescribed for failure to comply with the provisions relating to furnishing notices of fatal accidents, etc., which we have recommended above, if these recommendations are adopted.

(*v*) The provisions in section 5 of the Act for the calculation of wages give some difficulty in application to cases where the workman has been engaged for a very short period before the accident, *e.g.*, less than a month. A clause to obviate the difficulty was included in the amending bill introduced in the Legislative Assembly in 1928 ; but it was eliminated before the bill was passed because there were doubts as to its equity and it was desired to avoid making any amendments of a controversial character at that time. The clause is based on principles adopted elsewhere, and we consider it suitable for adoption.

Employers' Liability.

Before concluding this chapter we deal with a question which, while not strictly a matter affecting workmen's compensation legislation, is connected with it. Persons injured by accident may have a remedy by a suit for damages against their employer in the civil court, and it is suggested that the law there applicable is inequitable because two defences may be evoked by the employer to defeat claims which he should justly be called upon to meet. One is the defence of " common employment " by which an employer can plead that an accident was due to the default of a fellow-workman, and the other is the defence of " assumed risk " by which an employer is not liable for injury caused to workmen through the ordinary risks of employment, and a workman is presumed to have assumed risks which were apparent when he entered upon his occupation. When the Indian Workmen's Compensation Act was first introduced, it had, in addition to the provisions for workmen's compensation, clauses designed to abrogate these defences in certain cases ; but the Joint Select Committee of the Legislature deleted the

clauses in question, apparently because they were not satisfied that the doctrines to which we have referred, which were derived from the British common law, would be accepted by Indian courts. They observed at the same time that, if the doctrines in question were so accepted and were regarded as inequitable, they should be removed for all workmen and not for the limited classes to which the Workmen's Compensation Bill was to apply. Those who now advocate legislation have produced little evidence to show that the existing position gives rise to hardship; but it is possible that suits are not pursued because of the admitted ambiguity of the law and, as the defences in question are in our view inequitable, there is need for ensuring that they cannot be invoked. It should be remembered that ordinarily the workman receiving more than Rs. 300 does not come under the Workmen's Compensation Act, and his only remedy is in the civil court; if our recommendations are adopted, the monetary limit will be applicable to all workmen. The majority of us consider, therefore, that a measure for this purpose should now be enacted, and that it might follow the lines of the clauses deleted in 1923, but should, of course, be applicable to all workmen. Sir Victor Sassoon and Sir Alexander Murray point out that the Joint Select Committee likewise expressed the opinion that it was on the whole wiser to restrict the scope of the Bill to workmen's compensation and to avoid anticipating a difficulty which might not arise. They adhere to this view and are not aware that there has been any change since 1923 to justify legislation of the type suggested. They consider that the substantial increases in the scales of compensation and the wide extension of the scope of the Workmen's Compensation Act, now recommended, not only reduce any need there may be for such legislation but also form the correct line of advance in social legislation of this kind.

CHAPTER XVII.—TRADE UNIONS.

Employers' Associations.

Collective bargaining in India is a development of recent years. Associations of merchants in the form of Chambers of Commerce had long been in existence to deal with matters of common interest in the field of trade and commerce. During the second half of the last century the introduction of organised industry led to the formation of associations to secure united action for the encouragement of different industries. With a view to the promotion and protection of the interests of members, these associations took an active part in the discussion of legislative proposals and other matters of common policy affecting industry. They were thus able to make representations and to take common action concerning the interests of members as a whole, including social and labour legislation, but they had no power to interfere in matters pertaining to the internal working of individual concerns. In this period the only important exception to this general rule was in the jute industry where for nearly 50 years, it has been the practice for the association to regulate working hours in the factories of its members with a view to meeting variations in the supply and demand of the product. With the introduction of new and the expansion of existing industries, competition for trained labour increased. The efforts of individual employers to attract new workers took different forms, for example, higher wages, improved housing accommodation, provision of water supplies and similar amenities. These improvements, however, were almost wholly due to the initiative of individual employers, and it was not until the period of unrest created by war conditions that employers found it advisable to act together in labour matters. In 1918 the Committee of the Indian Jute Mills Association, on the curtailment of working time owing to war conditions, made a recommendation which was adopted by its members for the payment of *khoraki* (*i.e.*, an allowance) to their employees in respect of the enforced short-time working. In 1920 the Committee of the Bombay Millowners' Association made a recommendation, which also was adopted by its members, for the introduction of a 10 hour working day before it was enacted by legislation. Since then associations of employers have been compelled to devote considerable attention to the demands of employees for improved working conditions. This period coincides with the beginnings of trade unions in India, and the growth of trade unionism may be said to have been one of the factors in bringing home to associations of employers the need for common action, not only as regards working time and output, but also in respect of wages and other matters affecting the lives of their workers. Meanwhile the influence of employers' associations on the Legislatures grew, as in course of time representatives were first nominated and then mainly elected to them. There are now 8 representatives of commercial and industrial Chambers or Associations in the Central Legislature and over 50 in the provincial Councils. The evidence we received from employers' associations satisfied us that they contain many who are capable of doing much to solve the labour problems

with which industries are confronted. In our opinion it would be well if every organisation set up a special committee for the purpose of giving continuous consideration to the improvement of the well-being and the efficiency of the workers in the establishments controlled by its members.

Beginnings of Labour Unions.

On the labour side, trade unions in India have a short history. Attempts were made as early as the "eighties" to organise the mill-hands of Bombay in support of proposals for labour legislation, and a Millhands' Association was formed. But this did not survive and, prior to the war, organisation scarcely extended beyond the better paid railway employees and some classes of Government servants. The two or three years following the close of the war saw the formation of a large number of organisations, owing their origin mainly to the grave economic difficulties of industrial labour. The leading industries were yielding phenomenal profits, but wages lagged behind prices, and labour, so far from participating in the unprecedented prosperity, often found conditions harder than before. The world-wide uprising of labour consciousness extended to India, where for the first time the mass of industrial workers awoke to their disabilities, particularly in the matter of wages and hours and to the possibility of combination. The effect of this surge was enhanced by political turmoil which added to the prevailing feeling of unrest and assisted to provide willing leaders of a trade union movement. The influence of nationalist politics on the movement had mixed results. It added intensity, but it also tended to increase bitterness and to introduce in the minds of many employers a hostile bias against the movement. This, in its turn, tended to obscure the justice of many of the demands made and the fact that the movement was based on genuine and pressing needs.

The "Outsider" Controversy.

During this period, controversy was largely occupied with the question of the outsider, *i.e.*, the labour leader drawn from outside the ranks of labour. Employers frequently announced their readiness to treat with unions led by their own workmen, but refused to recognise any outsiders. This claim had some support in the attitude of Government prior to 1920 towards unions of their own servants; but the official position had been defined with a view to the pre-war organisations which catered mainly for the upper ranks of Government service, and in 1920 the Government of India conceded the principle of the right to employ outsiders. In many cases the objection to outsiders was in essence objection to particular individuals, *e.g.*, dismissed employees or politicians. At a later date the legislative recognition of the right of registered unions to employ such persons and to include them in their executive, did much to diminish these objections. Controversy between employers and trade unions, though it has not concluded on this question, has tended latterly to become centred on another matter, namely, that of recognition. We shall revert to both these questions later.

Legal Position.

At an early stage, the movement was threatened with the penalties to which, in the absence of a protecting statute, certain trade union activities are exposed under English common law. Following a suit against the leaders of the Madras Labour Union in 1920, the Legislative Assembly in 1921 adopted a resolution in favour of legislation for the registration and protection of trade unions. Five years were to elapse before a law was passed, but although we consider that development would have been more rapid had trade unionism received earlier legislative recognition, no attempt was made by employers in the interval to take advantage of the legal position.

Cohesion.

This period was one of growth and consolidation. With the passing of the economic stress and of the acute political turmoil of 1918-21, many *ad hoc* unions disappeared and some leaders lost interest; but there remained a number of genuine organisations, and these grew steadily in numbers and quality, in spite of local checks and universal handicaps. The strengthening of individual unions was accompanied by an increasing cohesion in the movement as a whole. The foundation in 1920 of the All-India Trade Union Congress marked the first recognition of the common interests of labour throughout the country. It has held annual sessions in various centres, and has served as a meeting place for those most actively engaged in trade unionism, as a platform for the enunciation of labour policy and as a link between trade unionism in India and in Europe. The participation of trade union leaders in International Labour Conferences and other international meetings gave the movement encouragement and greater unity, while the inclusion in the Assembly and Councils after the Reforms of a few nominated labour representatives assisted by giving it further cohesion.

The Trade Unions Act.

An important stage was reached with the passing of the Indian Trade Unions Act in 1926. This Act differs from British and Dominion Legislation on the subject mainly in the fact that the application of its provisions is confined to those unions which seek registration under it. Registered unions incur certain obligations; the most important of these are the requirement to furnish audited accounts and the necessity of including in the executive a majority of actual workers. At the same time registration confers on trade unions and their members a measure of immunity from civil suits and criminal prosecutions; the provisions in this respect follow approximately the recommendations of the Royal Commission on Trade Disputes and Trade Combinations that sat in England in 1905. We shall return to some of the provisions of the Act in our recommendations, but would remark here that the stimuius given by the Act to trade unionism resulted, not so much from any rights or liabilities that it created, as from the enhanced status given by the recognition of trade unions in the statute book. Registered unions in particular have

gained in the eyes of the public and of employers, and even unregistered unions have benefited from the greater confidence given to the movement as a whole. Up to the end of 1929, 87 unions were registered, with 183,000 members; these are a minority of the existing unions, but include the majority of the vigorous organisations.

Internal Difficulties.

In recent years trade unionism has had to face internal difficulties. For some time efforts have been made by communists in India and from beyond its border to capture the movement. These met with their greatest success in Bombay in 1928. The absence of any strong organisation among the cotton mill workers and a realisation of their weakness, combined with the encouragement given by the result of a prolonged strike, enabled a few of the communist leaders, by an intense effort to capture the imagination of the workers and eventually to sweep over 50,000 of them into a communist organisation. One effect of these strikes, and particularly the last disastrous strike, has been to render difficult the development of effective trade union organisation during the next few years. The workers, discouraged and depressed, are divided and many of them are still imbued with communist beliefs and ideals. These factors stand in the way of the creation of an effective organisation with which the employers' association can negotiate. Until this obstacle is removed, better understanding and relationship with the workpeople is exceedingly difficult, if not impossible, of attainment. At the same period renewed political excitement throughout the country led to the appearance of leaders whose interests were mainly political. The divergence of views among the leaders had been increasingly apparent in the All-India Trade Union Congress and this culminated in a split at the end of 1929. Dissensions regarding communism led to the secession of the majority of the unions under their more experienced and responsible leaders and the formation by them of the All-India Trade Union Federation. The position of the trade union movement as a whole is still unstable, and much will depend on its course of development in the next few years.

Types of Unions.

A fair assessment of the strength of the movement at the present time is difficult, mainly because unions vary so greatly in form and character. This will be best realised from a brief review of the main types. At the bottom of the scale come those "unions" which represent little or nothing more than the one or two men (generally drawn from the professional classes) who fill the leading offices. A few such unions can fairly be described as having had their main evidence of reality in notepaper headings. The object is to give a platform and a name to the leaders. The members, if not imaginary, are convened on the rare occasions when the endorsement of some resolution is required. This type of valueless growth, which is more characteristic of Bengal than of other provinces and is becoming rare even there, was stimulated by the belief that it would assist the leaders to secure nomination in the labour interest to local councils or international labour conferences.

On a higher level come what may be described as the *ad hoc* unions, *i.e.*, organisations designed to secure some definite and immediate object. These, though they may be organised by independent persons, have their origin in the genuine need of the workers. The most common form is the strike committee, formed to carry on a strike and sometimes charged with the responsibility of formulating demands after the strike has begun. With the end of the dispute, particularly if the workers are unsuccessful, the "union" either disappears or enters a state of suspended animation, from which it may be revived by a subsequent dispute. Unions of this type are frequently able to claim a very large membership for the time being, and they can be of distinct service to their members. But they do little in the way of educating their membership in trade unionism and may even create obstacles in the way of genuine trade unions. The majority of labour unions are now permanent and regular organisations. Transport is perhaps the best organised section of industry ; the railway workers and seamen support a number of live unions, and dock workers have generally some organisation. Combination is fairly general among Government employees ; the stronger unions here are mainly those constituted of persons outside the ranks of labour, but there are unions of some strength within these ranks. Printers, with their educational advantages and more settled conditions, find the formation of unions easy, but hitherto these have not proved very effective, being strongest in Government presses and weakest where the need is greatest. On the whole, the textile workers have been slow to organise. Up to 1926 there was no effective organisation of the cotton mill workers in Bombay, and even now very few of the jute mill workers in Bengal can be regarded as regularly organised. In Madras, on the other hand, the cotton mills, where organisation began, have remained as a focus of trade union activity. In Ahmedabad, the workers, excluding the Musalman weavers, are organised in a group of craft unions which, participating in a common central federation, have a strength and cohesion probably greater than those of any other labour unions. This may have some connection with the survival, until a comparatively late date, of a strong guild tradition in Ahmedabad. This lateral method of organisation is comparatively rare in India, where the tendency has been to organise vertically, *i.e.*, by industrial establishments. Even where more than one union is formed in the same industry and the same centre, the division is generally by factories and not by occupations. Mining workers are poorly organised in every field, and in the plantations genuine organisation on the labour side is quite unknown. Measured geographically, trade unionism is strongest in Bombay Presidency, and weakest (having regard to the potentialities) in Bengal.

Numerical Strength.

As the foregoing remarks indicate, an accurate numerical estimate of the strength of trade unionism is almost impossible. In Bombay the Labour Office recorded the existence of 93 unions claiming 120,000 members in September 1930, but this includes some unions which do not cater for industrial workers. For the rest of India no

complete record is available, but the numbers in the aggregate are probably about equal to those of Bombay. At the end of 1929, 87 unions claiming 183,000 members had been registered under the Trade Unions Act; of these 38 with 90,000 members were registered in Bombay Presidency. The All-India Trade Union Congress had affiliated to it in December 1929, 51 unions claiming 190,436 members; but this included one large union whose figures were questionable. Membership is everywhere loosely defined, and many unions retain on their books members who have long ceased to pay subscriptions. At least one union has been formed which claimed no subscription from its members.

Internal Difficulties.

From this necessarily brief survey of recent and contemporary history we turn to questions of future policy and development. Here it is wise to recognise at the outset the difficulties which confront those who are endeavouring to build up the movement. To a large extent the obstacles to development are internal rather than external—they come from labour itself. In the first place, the migratory character of the bulk of Indian labour presents a serious obstacle. Those who are frequently leaving an industrial centre, even for short spells, and are frequently changing their employer, are less inclined than more permanent workers to maintain a constant interest in any organisation. Further, the fact that so many workers look forward to a proximate or ultimate escape from industry tends to diminish their enthusiasm for efforts to ameliorate their conditions and to enhance their readiness to tolerate disabilities. The present conditions of industrial life in India are not conducive to the unflagging endeavour which proved so necessary in the West for the maintenance of trade unions; those whose wages and leisure are barely adequate for sustained work in the factory are not likely to find energy or leisure for activity outside it. It is not difficult to trace a correlation between the strength of the movement in particular centres and industries and the degree of permanence and regularity which characterises the labour force. Another serious handicap is the poverty of the average worker, to whom even a small subscription can be an appreciable burden, particularly when he is already encumbered by debt. Except in times of great stress, few unions can secure adequate funds without external assistance. An additional obstacle arises from the divisions which run across the lines on which trade unionism must develop. Difference of language and race are separating factors, and to these is frequently added the active opposition of the jobbers, or their equivalent, to anything resembling a horizontal organisation.

Fundamental Deficiencies.

But there are even more fundamental difficulties. Trade unionism, to be fully effective, demands two things: a democratic spirit and education. The democratic ideal has still to be developed in the Indian worker, and the lack of education is the most serious obstacle of all. The latter difficulty does not arise merely or even mainly

from illiteracy. We do not confuse literacy with education; the strength of trade unionism in the transport industries is partly due to the education which travel gives. Where the lack of education makes itself most strongly felt is in the reluctance to take a long view. Even if he were better off than he is, the Indian workman would not be easily persuaded to spend money which promised no obvious and immediate return. Few trade unions can afford to conduct benevolent work, and the majority find it hard to convince the worker that a subscription is worth while, except when a dispute is imminent or in progress.

Need for Development.

It may be urged that a movement which suffers from so many handicaps, which demands qualities at present so rare among Indian workmen and which is admittedly exotic in origin, is ill-suited to Indian needs and that the whole development of trade unions is a move in the wrong direction. As regards the foreign character of the movement, we would observe that modern industrialism is itself a Western importation. The difficulties which it creates for labour in India are similar to the difficulties which it has created elsewhere, and there is no evidence of any alternative remedy that is likely to prove effective. Everything that we have seen in India has forced upon us the conviction that the need of organisation among Indian workmen is great, and atat, unless industry and the State develop along entirely different lines from those at present followed, nothing but a strong trade union movement will give the Indian workman adequate protection. Legislation can act as a palliative and prevent the graver abuses, but there are strict limitations to the power of Government and the public to protect workmen who are unable to protect themselves. Labour laws, indeed, find one of their most effective sanctions in the support of organised unions. Other forms of organisation, such as works councils and works committees, serve a useful purpose when employers are well disposed, but they cannot be a substitute for trade unionism. Machinery such as industrial tribunals and conciliation boards can assist labour, but its operation is seriously hampered without organisation. It is in the power to combine that labour has the only effective safeguard against exploitation and the only lasting security against inhumane conditions. Nor is labour the only party that will benefit from a sound development of the trade union movement. Employers and the public generally should welcome its growth. It would be foolish to pretend that in present conditions particular employers in particular centres cannot gain an advantage by thwarting and repressing attempts to organise, and all employers are bound to find, on occasion, that the organisation of their men limits their power. But whilst the advantages to be gained from repression are temporary and precarious, those that accrue from healthy organisation are lasting. Further, some form of organisation is inevitable, since the need is acute and is bound to evoke a response. If that response does not take the form of a properly organised trade union movement, it may assume a more dangerous form. Some employers have already suffered severely from the lack of responsible trade unions

of their workers, and this type of suffering extends to the community as a whole.

Necessity of Encouragement.

The importance of developing healthy trade unions is denied by practically none. Government has declared its policy to be one of encouragement, and a great majority of employers appearing before us avowed a similar aim. While a minority of employers are frankly opposed to trade unions, we have been struck by the considerable measure of unanimity on this point on the part of responsible employers' organisations and individuals, including officials in charge of Government establishments. Some employers are genuinely puzzled as to the methods by which they can attain the aim in view. But in many cases we found it difficult to ascertain what active steps had been taken to encourage the growth of healthy trade unionism, whilst the attitude of some employers in their dealings with trade unions was singularly ill-calculated to secure that end. We would urge that the repression of trade unions because of unhealthy tendencies is unlikely to produce a healthy growth. A movement which is facing so many difficulties cannot be expected to begin at the stage achieved in other countries through long experience and after many vicissitudes. Responsibility can only be developed by power and by experience. If relationships and co-operation are to be withheld until individual unions, or the movement generally, attain vigorous health, that stage is likely to be long deferred.

Controversy regarding Recognition.

This brings us again to the question of "recognition" of trade unions by employers. This has become the acid test, and controversy over this question is fairly general. The expression owes its origin, so far as India is concerned, to the relations of Government with its servants. Until comparatively recent times, Government servants were prohibited from submitting collective memorials and petitions. When conceded, this right was granted only to combinations which conformed with certain rules. These are known as the Recognition Rules, and unions which accept them are then ordinarily granted formal "recognition" and are able to conduct negotiations with Government on behalf of their members. Private employers have tended to adopt similar methods, but there appears to be some confusion, both among them and among some heads of Government departments, as to the meaning and implications of the term. Some seem to think that "recognition" means that the employer recognises the right of the union to speak on behalf of all his workmen, or at any rate all the class for which the union caters. Influenced in some cases by this misconception and in others, we fear, by a desire to prevent the union from gaining in strength, recognition has frequently been withheld on the ground that the union embraces only a minority of the class concerned. Other reasons given for refusing recognition are the prior existence of another union, the refusal of the union to dispense with the services of a particular official, the inclusion of outsiders in the executive, and the failure of the union to register under the Trade Unions Act.

Implications of Recognition.

In our view recognition should mean that the employer recognises the right of the union to negotiate with him in respect of matters affecting either the common or the individual interests of its members. The employer, while he should consider proposals advanced by a union which are applicable to his employees as a whole, need not recognise the claim of the union to speak for any who are not members of it, and must be prepared to consider the interests of the unorganised workers. It is not, of course, intended to suggest that the recognition of a union precludes individual members of it from direct contact with their employers. At the same time we are not pleading for a formality. Recognition in the letter must be followed by recognition in the spirit, by a readiness to discuss sympathetically points put forward by the union, by accessibility to its officers and by willingness to let them have credit where credit is due. The Government manager or agent who, in remedying grievances to which a union has drawn attention, is at pains to make it evident that the union has had nothing to do with the result, or who keeps the union officials at arm's length by insisting on written communications in every case, is stultifying the action of Government in according recognition. The employer who discriminates in the matter of promotion against union men, or in any other way tries to weaken the influence of the union he has recognised, is in no way better than the employer who denies recognition outright, and is as little likely to advance the cause of peace. These considerations, apart from any others, make it impossible for us to endorse the proposal, advanced by several labour sympathisers, that recognition should be obligatory in certain cases. It was suggested, for example, that an employer should be compelled to recognise a registered union of his men. Recognition may mean much, but it may mean nothing. No law can secure that genuine and full recognition which we desire to see.

Recognition of Weak Unions.

We have referred to the prevalent idea that recognition should depend on the strength of the union. There is a sense in which it may, for a really strong union is in a position to enforce recognition. The vigorous union with a genuine grievance can insist on being heard, and even recognition rules carefully framed by official secretariats may prove futile when a big railway strike is threatened. But we are anxious to see recognition based on reason and not on force, and the fact that a union consists of only a minority of employees is no adequate reason for withholding recognition. Similarly the existence of two or more rival unions is not in itself a sufficient ground for refusing to recognise any or all of them. The combination of all employees with common interests in a single union is eminently desirable in their own interests, but this is a matter for them and not for the employer.

Outsiders and Recognition.

The endeavour to dictate to unions on the subject of their officers or leaders is equally short-sighted and unwise. We have referred

to the great difficulties confronting the movement, which make the employment of a proportion of outsiders inevitable. In some cases victimisation, and more frequently the fear of it, gives an additional value to the outsider. The claim to be allowed to deal only with "one's own men" is frequently little more than an endeavour to secure that the case of the men shall be presented by persons who are not likely to prove assertive. In every country much of the active work of trade unions, particularly in their relations with employers, is carried on by persons whose livelihood does not depend on the employers' will. We recognise, as do outsiders themselves, the weaknesses of the position of persons who have no direct experience of industry. But this again is mainly a question for the unions themselves, and we shall deal with it in that connection. As we have already indicated, the objections to outsiders are steadily diminishing, and there is every hope that the unreasonable attitude adopted by a number of employers a few years ago will soon be unknown. There is, however, still a disposition in some quarters to object to particular outsiders, and especially *ex*-employees and politicians. The dismissed employee, whose energy is whetted more by a sense of his own grievances than by a desire for the welfare of others, can be a severe trial to the most sympathetic employer; and the desire to prevent him from securing a position of influence is natural and intelligible. But in actual experience the attempt to suppress such individuals by repressing their organisations or by insisting on their exclusion has seldom been successful; several such men have gained notably in strength as a result of the employers' antagonism. The politician who hopes to divert a union to political ends can be equally trying, and it is frequently the case that his exclusion would be in the best interests of the men. But the employer, however pure his motives, is in a weak position when he attempts to protect his workmen by keeping their leader at arm's length. The leader who is not honestly working for the good of a union is not likely to have a long innings, unless he is assisted by persecution. The less healthy traits in a union are more likely to be eliminated by toleration than by repression.

Registration and Recognition.

The question of insistence upon registration stands on a different footing. As the law stands at present, registration generally involves no obligations that a *bona fide* union should not be willing to undertake. It necessitates a regular constitution, a periodical audit, the composition of the executive so that a majority may be workers, and the separation of political funds, which can be collected only from those members who are willing to contribute. In return for compliance with these provisions, the union receives definite advantages. There is, therefore, a presumption (though no certainty) that a union which declines to register is not a *bona fide* organisation. Similarly the fact of registration creates a presumption in favour of the genuineness of the union. The desire to secure recognition has been a motive underlying registration, and registration has led in many cases to recognition. In a number of instances employers have declined to recognise unions that are unregistered, and

some were under the impression that registration made recognition obligatory. We recognise that there are questions of principle with regard to political funds which, if they arise, may modify the position in the future.

Recognition of Government Employees' Unions.

The position of unions of Government employees requires separate consideration. Prior to the passing of the Trade Unions Act, the recognition rules, to which we have referred, stipulated that recognised unions should apply for registration as soon as legislation made it possible to do so. But when the Act was passed, the Government of India and the majority of local Governments suggested to recognised unions that they should not apply for registration. One local Government went much further and forbade all its servants from becoming, or continuing to be, members of any union which had applied for or secured registration. We are not aware of the precise considerations which led to the latter order, but the attitude of Governments generally arose from the difficulty of reconciling the privileges which employees secured as members of registered unions with their obligations under the Government Servants' Conduct Rules. These rules were framed primarily to regulate the conduct of Government officials outside the ranks of labour, with whom we are not concerned; the Trade Unions Act had mainly in view persons within those ranks, and the recognition rules apply to both classes. Perhaps it is not possible to apply common rules to two such different classes, but in any case, as far as industrial employees are concerned, we recommend that Government should take the lead both in making recognition of unions easy and in encouraging them to secure registration.

Collection of Subscriptions by Employers.

Some employers, including at least one important State railway, have collected subscriptions for trade unions. This has usually been done by deducting the union subscription from the workers' pay and handing the accumulated amounts over to the union officials month by month. The result has been to give the unions concerned an income far exceeding that which they would have obtained in the ordinary way. In view of the acute difficulties which most unions experience in raising funds and the benefits that could be secured by many if their finances were more flourishing, we have considered the possibility of recommending to employers a general adoption of this practice. On a detailed examination of the question, however, we consider that the disadvantages distinctly outweigh the advantages. Quite apart from the fact that the practice makes a trade union subscription a first charge upon a man's wages and may lead, with illiterate and ignorant workers, to the commencement or continuance of deductions without their full consent, the procedure is bound to undermine the independence of the union. No employer can surrender his right to discontinue the practice at any time. Its continuance, therefore, is conditional upon the union taking no steps which would lead an employer to reverse his policy, and once the practice had been established of collecting subscriptions

in this manner, the employer would be able at any time to dislocate the activities of the union by withdrawing his assistance. Further, the vigour of the trade union officials would be constantly sapped by the knowledge that their income and the means for their activities were dependent on the employers' goodwill.

Self-reliance.

Although we have stressed the influence which employers can exercise over the future of the movement, we should be doing a disservice to it if we encouraged any trade unionists to suppose that its development depended upon the actions of employers rather than upon their own. There is already a lack of self-reliance and a tendency to wait too much upon the employers' attitude. No amount of encouragement from employers or of assistance from the State can infuse life into unions which have nothing vital in themselves; true vigour can only come from within. In those countries where the movement is strong, it owes that strength mainly to its own efforts, and perhaps more to the opposition it has confronted than to the support it has received from employers. One of the first needs, therefore, is the training of the members themselves. There is too great a tendency to allow the members to remain passive supporters of the union instead of making them an active force. We recognise the difficulties of the position. The dilemma which faces many trade union leaders resembles that which confronted a number of officials in the early days of local self-government. Presented with the alternatives of aiming at executive efficiency by undertaking most of the work themselves and of educating their members by giving them responsibility and letting them make mistakes, most of the leaders have chosen the former course. Labour is weak, leaders are few, and the training of members in trade unionism must in many cases involve a diminution, for the time being, in the effectiveness of a union to protect its members. But the movement cannot prosper if it is allowed to depend almost entirely on a stimulus from the top; there must be an internal collective will. This can be developed in various ways, all of which require time and patience. Efforts should be made to give as many members as possible some share in the work. Meetings should be frequent, even if they are small; regular branch meetings are of more value than the infrequent mass meeting, which has little permanent effect.

Multiplication of Activities.

Most unions are at present hampered by having too limited a scope and too few activities. There is a disposition to regard a union as a mere agency for securing benefits from employers, and to overlook the valuable work that can be done in the way of mutual help. A widening of the sphere of activity is most desirable, both because much is left undone that trade unions can do and because it will strengthen the movement to find, and even to create activities in which the members can participate. The selection of fresh activities must depend on local circumstances and will vary from province to province and from industry to industry. We do not presume, therefore, to offer stereotyped

recommendations for all unions, but put forward a few suggestions to illustrate our meaning. An extension of the co-operative movement by the agency of trade unions seems to offer a genuine opportunity in some centres. The provision of co-operative credit and the maintenance of co-operative stores, if properly managed, would advance the economic position of the members. The need of education is universal, and the provision of adult education in small circles would be valuable in itself and would bring strength to the movement. The opening of a reading room where there would be available both books and men to read them aloud has distinct possibilities. Benefit funds are rare, and, though we recognise the difficulty attendant on the raising of any appreciable sums from Indian workmen, we feel that many could be persuaded to subscribe to a fund designed to furnish death benefits. In some industries, the Workmen's Compensation Act provides a useful field of activity. Some unions have entered this field, but the movement as a whole has not realised the possibilities in this direction. Possibly the only union with an elaborate range of welfare activities is the Ahmedabad Textile Association to which we have already referred. This is reported to maintain two dispensaries and a hospital equipped for surgical work, with accommodation for thirty indoor patients. The expenditure on this work is in the neighbourhood of Rs. 10,000 annually. The Association maintains 23 schools, which in 1928 had 1,458 boys and 76 girls. The cost in that year was Rs. 36,000 and the Association also carried on two boarding schools maintained by subscriptions from other sources. The social betterment department of the union supplements the work of the schools by conducting evening classes in *chawls* to teach workers reading and writing. The union maintains a library and a reading-room for the benefit of its members. There are also travelling libraries containing several boxes of books which are circulated from centre to centre. Among the union's other welfare activities are four physical culture centres, a volunteer corps, a cheap grain shop, restaurants, a savings bank and a Cheap Loans Department. These are all carried on mainly from the members' subscriptions, which are collected by the mills. The millowners until recently also made an annual grant to the Association for educational purposes.

Present Leaders.

An equally urgent need is the development of leadership from within the ranks of labour. At present the unions depend for their leaders mainly on social workers, lawyers and other professional and public men. A few of these have interested themselves in the movement in order to secure private and personal ends. The majority, however, are actuated by an earnest desire to assist labour The work involves much toil and many discouragements, is nearly always unpaid, and brings more criticism than thanks. Our survey of the position will, we hope, show sufficiently clearly how necessary the assistance of these men has been in the past. The movement could not possibly have reached its present stage without them, and for many years to come there is likely to be a useful field of service for all who are anxious to assist.

At the same time, as many of the present leaders would be the first to recognise, the man drawn from outside the world of labour is handicapped in more than one direction. He has seldom a complete knowledge of the technical details of the industry to which his work is related, and cannot hope to meet the employer on equal terms in this respect. His training makes it difficult for him to feel that complete sympathy with labour which is the inspiration of those who have "gone through the mill". Some of the present leaders, motived no doubt by the great need, seem to us to diminish their effectiveness further by attempting too much. No man can take an effective share in the organisation of half a dozen unions simultaneously; in existing conditions the fostering of one good union is a hard task and more than enough for a man who can generally devote only part of his day to such work. Finally the fact that the work is gratuitous tends to weaken its intensity, and in some cases to diminish the sense of responsibility.

Need of Paid Officials.

The unions, if they are to increase their strength, must find organisers from within the ranks of labour. This does not mean that the trade union officials must be actually working in the industry with which the union is connected. No man who is doing a day's work in a factory or a mine or on a railway can find the time or energy necessary for the work. Further the actual worker, even with the best of employers, cannot display sufficient independence to defend adequately the union's interests. What is required is the whole-time official who has been an actual worker. He must be paid by the unions, since it is impossible to expect that the heavy labour involved will be carried on for nothing; the nexus of payment brings responsibility by making the officials dependent on the union and its fortunes. We recognise that the present income of many unions cannot meet such charges; but the organising official, if he is even moderately competent, will secure a substantial increase in that income. The few unions which have secured such officials have found them profitable investments, and the expense must be faced if a union is to acquire strength. We suggest that those on whom at present the burden of organisation falls should make it their earnest endeavour to find suitable men within the unions to act as officials and should then train them for the position. At first suitable men will not be readily forthcoming, for their task will not be the easy one of evoking enthusiasm at times of crisis, but the harder and more valuable one of building up the membership of the union in good times and bad, and instilling into it the sense of loyalty and trust. Moreover there are bound to be failures among those selected. But, as we found during our tour, a few men of the right type have already emerged, and others will be forthcoming if opportunities are made for them.

Training of Officials.

The qualities required in the first place are literacy, organising ability and a capacity for hard, constant and patient work. When men with these qualities are obtained, their training should be undertaken.

It is here that social workers, professional men and others anxious to assist the movement can render valuable service. The training should commence before the selected man leaves his employment; his readiness to undertake the necessary toil will afford a good test of his capacity for ultimate success. He should be assisted to improve his general education by directed reading, particularly in economics and social questions, including labour legislation and trade union history. In the larger centres it might be possible to start small study circles for groups of, say, 4 to 6 men. The Universities in the leading industrial centres could strengthen their contact with the industrial life of the country by assisting in this work with evening classes, and the larger trade unions should endeavour to assist. Simultaneously the prospective official should take as active a part in the work of the union as his ordinary work allows; his activity here will afford a good indication of his qualifications for a paid appointment.

Outside Assistance.

We have suggested that during his training, the future official should be supported by his own industrial work. But his value in many cases could be greatly enhanced by a wider training, with freedom for a period from other work. This would involve the provision of funds for the support of such men during part of their training. In the case of State servants—and particularly on the railways—periods of leave and other assistance could be given. As a further possibility we suggest the grant of studentships at Universities or colleges which are ready to co-operate. The higher education of the country is largely dependent on State funds, and we feel that the share of the industry of the country in the results is disproportionately small. The class whose education we desire to advance has claims which are in no way weaker than those of political lawyers or Government officials to participate in the provision which the State makes for education. Finally the linking of the movement with the international trade union movement provides the opportunity for and will no doubt evoke its assistance in the building and consolidation of Indian trade unionism. Some of the labour delegates and advisers sent to International Labour Conferences at Geneva, by extending their stay in Europe, have been able to secure some training in Western trade union methods. If, as we hope, the labour side of the delegation to these conferences is increasingly composed of actual workers and *ex*-workers, they can be assisted at a comparatively small cost to qualify themselves more fully for trade union work.

Revision of the Act.

The Act has not been sufficiently long in operation to enable us to attempt a detailed review of its working. But the developments of the movement which are already in progress and those which may be expected as a result of the changes taking place in the social and political sphere, together with the advance which we hope some of our recommendations will bring, will probably necessitate its revision in some

directions at an early date. The measure was admittedly framed with regard to the fact that the movement was both young and inchoate, and it has helped to give trade unions stability and an enhanced sense of responsibility. We consider that the Act should be re-examined in not more than three years' time. If the recommendations made elsewhere regarding the grant of the franchise to registered unions are accepted, these may necessitate the revision at an even earlier date of the provisions relating to the political activity of trade unions. In respect of other provisions, it may be found that some of the restrictions which were regarded as wise in the infancy of the movement are unsuited to a more advanced stage, and all the limitations imposed on the activity of registered unions and their officers and members should be reconsidered. We regard the principle that the grant of privileges should be limited to registered unions as sound, but it is important to ensure that the conditions attached to registration are not such as to prevent any well-conducted *bona fide* union from applying for registration.

Annual Audit.

In the meantime we recommend three amendments relating to matters of detail. At present registered trade unions have to meet the cost of the obligatory annual audit, and the qualifications of the auditors are prescribed by Government. It is not possible for the smaller unions to meet the cost of employing properly qualified auditors and, as a result, Government has had to permit their accounts to be audited by persons with no qualifications in accountancy. We consider that all unions should be able to secure free of charge the conduct of their audit by officials of Government. Government has already accepted responsibility for the audit of the accounts of co-operative societies in some provinces. The provision of auditors for trade unions should cost little to Government, while it will relieve registered trade unions of a considerable charge on their funds. At present the larger unions are required to employ auditors who are authorised to audit the accounts of companies under the Companies Act, and any union which desires to employ such an auditor should remain at liberty to do so. But unions which do not desire, or are unable to engage, auditors of this class should be given the alternative of having an official audit rather than of employing other persons as auditors. The reports of the official auditor on trade union audits and investigations should be made available for the public as well as for the union.

Other Amendments.

Two other minor amendments appear to us to be desirable. (*i*) Section 22 requires that ordinarily not less than half the officers of a registered trade union shall be actually engaged or employed in an industry to which the union relates. "Officers" here includes the executive. In view of the desirability of securing that the members of a union take an active part in its work, we consider that two-thirds would be a more suitable minimum. As there is no limitation to the size of the executive, this will not restrict the number of outsiders that can be included, and may lead in some cases to an unduly large executive.

But we think that the inclusion of a larger proportion of workers may assist in furthering that education of the ordinary members in trade unionism which is so much needed, and in helping them to feel that they are responsible for the conduct of their union. We believe that the desirability of the higher proportion is already recognised in practice by the better unions. (*ii*) It appears to be the case that registered trade unions are precluded from initiating and carrying on co-operative societies. We recommend that the obstacles be removed. The maintenance of co-operative credit or supply societies, subject to the usual safeguards, is an activity which we should like to see undertaken by trade unions.

Conclusion.

In other parts of this report we suggest fresh responsibilities for registered unions, and we hope that, in legislation and administration, the State and its officers will recognise the essential importance of these organisations as an integral part of the industrial structure of the country. They can make a big contribution to industrial development, and the value of that contribution will be enhanced by a policy of trust in them and co-operation with them. At the same time, at the risk of repetition, we would emphasise the fact that trade unionists must rely mainly on their own efforts. It is on them, rather than on employers or Government or the public, that the future of trade unionism ultimately depends.

CHAPTER XVIII.—INDUSTRIAL DISPUTES.

At this stage of India's industrial history it is unnecessary for us to emphasise the importance of taking all reasonable measures to promote industrial peace. The loss occasioned by industrial disputes to employers, employed and the public at large has produced a general anxiety to find methods of preventing the occurrence of strikes and lock-outs and securing their speedy termination when they occur. We propose first to trace briefly the course of industrial unrest in India and thereafter to attempt to analyse the causes of industrial strife. We shall then review the methods already adopted for the prevention and settlement of disputes and make our recommendations in this connection.

Emergence of Strikes.

Prior to the winter of 1918-19, a strike was a rare occurrence in Indian industry. Strikes took place occasionally on the railways and in other branches of industry; but to the majority of industrial workers the use of the strike was probably unknown. Lacking leadership and organisation, and deeply imbued with a passive outlook on life, the vast majority of industrial workers regarded the return to the village as the only alternative to the endurance of hard conditions in industry. The end of the war saw an immediate change. There were some important strikes in the cold weather of 1918-19; they were more numerous in the following winter and in the winter of 1920-21 industrial strife became almost general in organised industry. The main cause was the realisation of the potentialities of the strike in the existing situation, and this was assisted by the emergence of trade union organisers, by the education which the war had given to the masses and by a scarcity of labour arising from the expansion of industry and aggravated by the great epidemics of influenza.

Statistics of Disputes.

After that winter industrial unrest slowly subsided, but the strike weapon remained and since that date strikes have been a concomitant of Indian industry. The following figures of reported disputes involving stoppages of work for the period 1921-30 have been furnished by the Government of India :—

Year.	Number of stoppages beginning during the year.	Number of workers involved (thousands).	Number of working days lost (in lakhs).
1921	376	600	70
1922	272	435	40
1923	209	301	51
1924	132	312	87
1925	133	270	126
1926	127	187	110
1927	129	132	202
1928	200	507	316
1929	134	531	122
1930	145	196	23

As the figures of working days lost depend mainly on the presence or absence in any year of one or two big strikes, the two other columns give a better indication of the general prevalence of industrial strife. These show the widespread turmoil of 1921 and the diminution of strife thereafter until the appearance of a second wave of unrest in 1928. Some particulars of the approximate causes of these strikes are available, as the statistics tabulated by the Government of India give the classification of the disputes according to the principal demand of the workers. This shows that in 976 disputes the principal demand related to the question of pay or bonus and in 425 to the question of personnel. In the latter cases, the demand was normally for the reinstatement or dismissal of one or more individuals, and the proportion under this head appears to us to be high. 74 strikes were primarily concerned with questions of leave or hours of work and the remaining 382 are unclassified in respect of the demand made. In the official returns two-thirds of the strikes are classified as unsuccessful.

Wider Economic Causes.

Behind immediate causes such as these, it is possible to trace the wider influences which have been at work. The great outbreak of strife after the war had obvious economic causes ; a rise in wage levels was overdue, and the workers awoke to the disabilities from which they suffered in respect of long hours and other matters. By the end of 1922 the position was again more or less stabilised, hours had been reduced, conditions had improved and wages had risen, prices had fallen considerably from the peaks attained in 1920 and 1921, and the post-war boom was over. During the ensuing five years prices showed only small variations ; the Bombay working class cost of living index number, for example, neither fell below 152 nor rose above 161 in any month after October 1922 and before October 1927. The State, the employers and the public now co-operated in introducing certain ameliorative measures. In consequence of all these factors, the quinquennium 1923-1927 was one of comparative peace, in spite of a steady growth of consciousness and cohesion among the workers and the survival of many sources of discontent. By the end of this period prices showed signs of falling again and, although industry did not cease to expand, profits steadily contracted and, in a number of cases, disappeared. Endeavours to meet the depression by improved methods of production, retrenchments of staff, or reductions of wages had a large share in the fresh outbreak of strife in 1928.

Causes Unconnected with Industry.

Causes unconnected with industry play a much smaller part in strikes than is frequently supposed. The employer who is faced with a strike and is uncertain as to the cause is inclined to lay the blame on "agitators". There are, of course, some strikes which are not due to economic causes. Examples of these are the stoppages known as *hartals*, which are often meant as protests against acts in which the employer may have had no share, *e.g.*, action by Government or by the police. In

times of political ferment, such as the present, these tend to become frequent, and while they are fortunately ephemeral, they cause in the aggregate appreciable dislocation of industry.

Political and Other Influences.

At certain periods factors which were not economic had an important influence on industrial strife. The worst period of such unrest (1920-21) coincided with the occurrence of intensive political agitation. A few strikes were organised by political leaders; more frequently opponents of Government used their influence to intensify disputes which were economic in origin. Recently other influences have appeared; the spread of communism has affected the workers in certain places, particularly Bombay, and in the big mill strikes which have occurred there during the last few years communist leaders and organisations have played a leading part. Another new development has emerged in at least two recent strikes of importance in which some of those acting with the workers were also interested in the influence of the strike upon commodities and share markets. But although workers may have been influenced by persons with nationalist, communist or commercial ends to serve, we believe that there has rarely been a strike of any importance which has not been due, entirely or largely, to economic reasons.

Experience of Works Committees.

We turn now to a brief review of the various methods adopted both to prevent the occurrence of disputes and to resolve them when they arose. The industrial unrest which followed the close of the war led to an examination of methods adopted in other countries, and especially in Great Britain. Among these, the institution of works committees received attention at an early stage. In 1920 the Government of India, while starting joint committees in their presses, directed public attention to the possibilities of the idea and about the same time committees were formed by Messrs. Tata at Jamshedpur and in at least one of the larger railways. A committee appointed in Bengal in 1921, at the instance of the Legislative Council, to consider the causes of and remedies for industrial unrest, gave warm support to the idea. At the Buckingham and Carnatic Mills in Madras, where 9,000 workers are employed and where the proportion of permanent labour is large, a works committee was formed in 1922 under the name of the Workpeople's Welfare Committee. It was started by the management with the object of securing closer contact with the workers by the discussion and settlement of matters affecting their interests. The constitution of the committee is kept as elastic as possible and is subject to enlargement as circumstances demand. In addition to the President and Vice-President, it is now composed of 26 representatives of the workers and ten of the management. The former are elected annually by a secret ballot of workers with more than one year's service in the different departments. The welfare superintendent is *ex-officio* secretary and two labour representatives are elected to serve as assistant secretaries. The proceedings of the meetings, which are held fortnightly, are printed in Tamil and

circulated among the workpeople. In addition to assuming large responsibilities in respect of the numerous welfare activities associated with the mills, the committee is said to have proved useful in maintaining good relations between the staff and the workers. Any worker who considers that he has been unjustly treated can report the matter to the welfare committee member of his department, who then makes representations to the management on the worker's behalf. Individual cases of a serious nature, such as dismissals, can also be brought before the welfare committee, if the worker is dissatisfied and further enquiry or consideration seems to be required. The firm have no doubt that the Committee is now genuinely appreciated by the workers : it has enabled the management and the workers to get into closer touch, resulting in a better understanding of each other's point of view so that misrepresentation leading to strained relationship is, they think, less likely to occur. A considerable number of committees have been formed in State and private establishments in recent years; and in several of the leading railway systems the idea has been elaborated in a series of committees or councils, both local and general. Some committees have been successful and there are probably few that have been without use; but generally speaking the results achieved have been disappointing. We discuss the reasons later.

The Ahmedabad Machinery.

The only attempt made to set up machinery for regulating relations between a group of employers and their workpeople is at Ahmedabad. Here, since 1920, there has been a permanent arbitration board, consisting of one nominee each of the two Associations—one representing labour and the other the employers. Mr. M. K. Gandhi has represented labour on this board since the beginning. The methods adopted are thus described by the Government of Bombay :—

> "In the Ahmedabad cotton mill industry it has been mutually agreed between the Ahmedabad Millowners' Association and the Ahmedabad Labour Union that all grievances should, in the first instance, be discussed between the workers themselves and the managements of the mills concerned. If any worker has a grievance he reports to a member of the council of representatives from his mill. The member speaks to the head of the department and the agent of the mill, if necessary. If the grievance is not redressed a formal complaint is recorded with the Labour Union. The Labour Union official—usually the secretary or the assistant secretary—goes to the mill, ascertains the correctness of the complaint and requests the mill officer or the agent to redress the grievance. If no settlement is arrived at during this stage the matter is reported by the Labour Union to the Millowners' Association. The Secretary of the Millowners' Association speaks to the mill concerned and tries to settle the matter amicably. The procedure in connection with grievances of a general nature referring to several mills or several workers in a mill are also similarly dealt with. If the workers do not get redress after the matter has been discussed between the Millowners' Association and the Labour Union, the matter is finally referred to the Permanent Arbitration Board."

We understand that in case of disagreement between the arbitrators, the dispute is referred to an umpire acceptable to both and his decision is binding.

Working of the Ahmedabad System.

The system is admirable in its intentions and has had a substantial measure of success. It has been criticised as being somewhat dilatory in its operation. Of the complaints pending at the beginning of 1929, 50 were said to have been outstanding since 1922. The magnitude of the task of the settlement of disputes, however, can be judged from the fact that the total number of grievances recorded at the office of the Labour Association in the year 1929 amounted to 4,000. Although the resort to arbitration has not been as frequent as the number of grievances recorded would lead one to believe, there has been difficulty in some cases in obtaining a suitable umpire. The settlement of disputes concerning wages entails a prolonged examination of facts and figures, and some delay is often inevitable. Although the union is managed more for the workers than by the workers, it appears to have had a considerable educative value. Without desiring to minimise its importance, it is only fair to observe that there are local factors assisting its operation which cannot be reproduced elsewhere. In the first place, Ahmedabad is almost unique among the industrial centres of India in that the employers and the larger proportion of the workpeople belong to the same part of India and share not merely the same religion but the same mother tongue. Most of the Musalman weavers are outside the labour union. In the second place, the scheme seems to us to have depended largely on the unique position of Mr. Gandhi, whose influence in Ahmedabad, both with the employers and the workers, is very great. Both parties have confidence in his sense of fairness and sympathy towards them, and either party would be faced with serious difficulties if it found itself in direct opposition to his views.

The Employers and Workmen (Disputes) Act.

Prior to 1929, the only Act on the statute book relating to the settlement of trade disputes was the Employers and Workmen (Disputes) Act of 1860. This provided for the speedy determination of disputes relating to wages in the case of certain workers. It was applicable to the construction of railways, canals and other public works and provided for the summary disposal of disputes by magistrates. The Act has everywhere ceased to be used and this is perhaps fortunate, as it also embodies the principle of criminal breach of contract. We recommend its entire repeal.

Consideration of External Machinery.

The question of external machinery of general application for the settlement of disputes has in recent years received much public and official attention, particularly at times of serious industrial unrest. In 1920 the Government of India raised the question of legislation on the lines of the British Industrial Courts Act of 1919. At this time the serious industrial conflict at the end of the war had not reached its height and most of the local Governments agreed, with the Government of India that legislation on the British lines was not likely to be effective. The epidemic of strikes of 1920-21 led to a further examination of the question, and representative committees were

appointed in Bengal in March 1921 and in Bombay in November 1921 to consider the possibility of alleviating industrial unrest. Reference has already been made to the stress laid by the former committee on the formation of works committees. This committee was opposed to the intervention of Government in private industrial disputes, except when both parties desired outside intervention, but it suggested the formation of a conciliation panel to deal with disputes in public utility services. A panel was formed and re-constituted every year until 1929, but its services were never utilised. The Bombay committee advocated the establishment by statute of industrial courts. With the diminution of strikes in 1922-23, both public and official interest in the matter tended to languish until a serious strike in the Bombay cotton mills in 1924 led to the preparation of a bill by the provincial Government for introduction in the Legislative Council. The bill was withheld at the instance of the Government of India, who circulated in the same year an all-India bill based in part on the British Industrial Courts Act. They expressed their intention to introduce the measure, with any modifications required in the Central Legislature, in the beginning of 1925. We do not propose to refer to the particulars of these proposals because it was not until 1928 that any bill was actually introduced, and the one then sponsored by the Government of India differed from their earlier draft in a number of important respects.

The Trade Disputes Act.

The main part of this measure, which passed into law in 1929, is modelled to a large extent on the British Industrial Courts Act, but it does not provide for any standing Industrial Court. Disputes can be referred either to Courts of Enquiry or to Boards of Conciliation. Courts of Enquiry, which are appointed to enquire and report into specific matters referred to them, consist of one or more independent persons. Boards of Conciliation consist of an independent chairman and ordinarily of other members who may be either independent or may represent parties to the dispute. It is their duty to endeavour to investigate the dispute, primarily with a view to its settlement and secondly with a view to enlightening the public regarding its merits. The Act also contains provisions rendering punishable by fine or imprisonment lightning strikes or lock-outs in certain public utility services and embodies provisions aimed at the prevention of general strikes: the latter are based on some of the clauses of the British Trade Disputes and Trade Unions Act of 1927. Up to the end of 1929, the Act has been used on three occasions. The Bombay Government in that year appointed a Court of Enquiry consisting of a High Court Judge and two other independent members, to investigate a number of matters connected with the prolonged general strike in the Bombay cotton mills. A Board of Conciliation, consisting of a retired High Court Judge as chairman and representatives of the two parties, was appointed at the end of 1929 with reference to a dispute on the B. B. and C. I. Railway. It was unable to effect an agreed settlement, and the members themselves differed on certain points. Another Board of Conciliation was appointed by the Government of Burma in July 1930 in connection with a serious dispute among the dock workers.

We discuss this case and its settlement in the chapter dealing with Burma. So far as we are aware, no prosecutions have been instituted under those provisions of the Trade Disputes Act which relate to public utility services or to general strikes.

Conciliation and Arbitration.

Although the experience of statutory courts is necessarily meagre, there were many occasions before the passing of the Trade Disputes Act on which conciliation or arbitration was undertaken by individuals or by specially appointed committees or courts. Individuals (usually officials) have intervened in a number of strikes as conciliators or, by request, as arbitrators and seldom without success. The first attempts to settle disputes by the appointment of more or less formal bodies were made in Madras in 1919 and 1920, when on four separate occasions courts of enquiry were appointed consisting of an official chairman and one member chosen by each party. The courts seem to have had a fair measure of success, but no such court was appointed in Madras after 1920. Courts or committees of a similar character were instrumental in terminating two strikes in Burma and two in Bengal in 1920 and 1921. In 1924 and again in 1928, committees of enquiry, consisting in each case of two independent persons with a High Court Judge as chairman, were appointed in Bombay to report on questions arising out of the general strikes in Bombay cotton mills. The report of the 1924 committee had an important influence in bringing the strike to a conclusion. The 1928 strike was brought to an end with the appointment of the committee (known as the Fawcett Committee) "for the permanent settlement of the dispute". Unfortunately this wider end was not achieved. The committee, on its part, furnished a comprehensive review of working conditions in the Bombay mills and made a number of valuable proposals for their future regulation. These, however, were not carried out owing to a breakdown of negotiations between the parties. The subsequent arrest of leaders of the Girni Kamgar Union deprived the workers of these representatives, and the leaders of the older unions were unable to regain the confidence of the men. So that, although the millowners' association have instructed their members to adopt the recommendations relating to standard rules, the more interesting suggestions relating to standardisation and the promotion of constant contact between the representatives of capital and labour have not materialised.

Gulf Between Employers and Employed.

In the remaining part of the chapter we set down the conclusions to which we have been led by our review of past experience and our examination of the present position. It is a platitude that the prevention of industrial disputes is better than their cure, but there has been a tendency to overlook some of its implications. Public opinion naturally concentrates on the later stages of a dispute and especially on that final stage, the strike or lock-out. The prevalence of strikes affords an indication of the extent of unrest, but strikes are merely the symptom most evident to the public of underlying discontent. The attempt to deal with unrest must begin rather with the creation of an atmosphere

unfavourable to disputes than with machinery for their settlement. It is precisely here, in our view, that Indian industrial organisation is weakest. We believe that an important factor at work in creating industrial unrest in India is the lack of contact which too often exists between employers and employed. There are employers who, by special efforts, have established reasonably close touch with their workers, but they are exceptional. In practically every centre and every industry* the lack of contact and understanding is evident. In the interests of all concerned, we urge that every effort should be made to bridge the gulf. An immense amount of thought and toil has been devoted to surmounting the technical, financial and commercial difficulties in the way of industrial development in India. But it will fail to secure the results it deserves unless much more attention is given to the difficult sphere of human relationships. Weakness in this direction has already produced serious effects, and the outlook in some of the centres we visited was menacing. Unless a vigorous effort is made to effect an improvement, the development of large-scale industrial enterprise is likely to be difficult and precarious.

Differences of Race.

The lack of contact to which we have referred may be traced to several factors in the Indian industrial system. In the first place, it is almost universally true that the management and supervision of industry is in the hands of men not only of a different class but also of a different race from those of the workers. Many of the firms which control the larger industrial establishments are British, and a still larger proportion of concerns are under British, American or other foreign management. Even where the control and management are Indian, it is the exception for the management and the workers to belong to the same race. We are referring not merely to the differences created by caste or religion ; it is rarely the case that the workers and their masters belong to the same big division of the Indian nation. Indeed, we believe that Ahmedabad is the only one among the larger industrial centres where the bulk of both the employers and the employees are drawn from the same part of India, and it is significant that in Ahmedabad there is greater understanding, if not sympathy, between employers and employed than is usual elsewhere. In Bengal, industry is mainly in the hands of Europeans and, to a less extent, Bengalis and Marwaris, while the workers are mainly drawn from up country. In Bombay the workers come largely from Maharashtra and the Konkan, while the employers are mainly Parsis, Gujeratis and Europeans. In Jamshedpur the control of policy rests mainly in Bombay, over a thousand miles away, and the managing staff at the works is mainly American and British. In the coalfields the control of policy rests with various Calcutta firms, and we do not know of any case where the manager belongs to the same race as the workers. Burma perhaps presents the strangest phenomenon of all, for here both employers and employed are mainly drawn from across

*** We are not dealing here with plantations in which strikes are rare. These are discussed separately.**

the sea. The control of the leading establishments is largely British while the bulk of the industrial labour is Indian.

Language Difficulty.

The employer or manager who is faced with the problem of establishing contact with his men starts, in most cases, with a heavy handicap. Brought up in a different tradition, with a different descent, in a different part of the country, indeed often in another continent, he is usually confronted also by difficulties of language. The imperfect knowledge of the language of their workers possessed by many who are responsible for management and supervision lowers efficiency and impairs understanding. It is not uncommon to find that the manager of an important establishment is far from proficient in the principal language spoken by his men. We would emphasise our conviction that no one can be regarded as fully qualified for a post of management or supervision who does not find it easy both to understand his employees and to make himself understood by them. The illiteracy of the workers, which prevents the management from utilising the written word to convey orders and rules directly to the rank and file, is an additional reason for laying stress upon language qualifications. In many cases it may be hard for a man chosen, possibly when he is no longer young, largely on account of his technical training, to acquire fluency in a foreign tongue, but we repeat that this fluency is in itself a technical qualification which is indispensable for the competent discharge of managerial functions. Some employers offer special inducements to junior officers to acquire language qualifications, but it is rare for an employer to insist on their acquisition by managers and others in the more responsible positions.

Arising from Industrial Organisation.

Further difficulties are created by industrial organisation. In all countries the growth of large-scale industry renders impossible the close personal relations between employer and employed which subsist when employees are few, and in consequence contact is generally difficult to establish. In India the method of organisation tends to enhance the difficulty. At the top, between the shareholders, who own the concern, and the manager, there is generally another company or firm known as the managing agents ; and private shareholders, even if they wished to take an interest in their labour, would ordinarily find it impossible to influence policy in such a matter. Much more serious, from the point of view of labour, is the tendency for managers to delegate some of their functions to subordinates and to interpose unreliable links between themselves and their men. We have already dealt with the power possessed by sardars, *mukaddams* and other chargemen or foremen, who are too often able even to dismiss and engage workers. As a rule, the management depends on such men both for its knowledge of the minds and desires of the employees and for the interpretation to them of its own orders. Where this is the practice, it is almost impossible for the management to reach any stable understanding with the workers. There

is a strong tendency for the intermediary, who is responsible for transmitting both orders and complaints, to colour them in the process from his own particular point of view. The result in many factories is that the worker feels that it is useless for him to appeal to any authority higher than the man immediately above him. This is especially true where the management is imperfectly acquainted with the language of the men; in many factories the sardar or *mukaddam* owes much of his power to the fact that no one above him speaks fluently the tongue common to him and the men under him. In all cases, it is of primary importance that those responsible for management should be both able and eager to secure contact as direct as possible between themselves and the humblest of their employees.

Means of Establishing Contact.

In considering, therefore, what can be done to prevent misunderstanding and disputes, it is necessary to begin with the individual industrial establishment. No machinery of a more comprehensive or external character can hope to repair the loss which arises from the absence of a proper understanding within the factory or mine. It is consequently important that, where the scale of an establishment does not permit of detailed labour administration by its head in person, some method should be devised to meet the needs of the case. There are three possible lines, by no means mutually exclusive, which suggest themselves in this connection. With two of these we have already dealt. The development of stable trade unions, with access to those responsible for the management is the most obvious need. But this development is not likely to be rapid, and while the employer can do something to encourage it, his powers are limited. The second method is the appointment of labour officers. The functions of such officers have been discussed in our review of conditions in factories and have been referred to again in connection with mines, and it is unnecessary to repeat them here.

Formation of Works Committees.

The third possible method is the formation of works committees. The comparatively small measure of success achieved by the experiments in this direction has raised doubts regarding the suitability of works committees to Indian conditions. In the minds of many employers there is the belief that works committees will provide a substitute for trade unions, while these are regarded by trade union leaders as rival institutions deserving of no encouragement. We believe that, if they are given proper encouragement and past errors are avoided, works committees can play a useful part in the Indian industrial system. The defective education of the Indian worker puts a handicap on these committees which is not present in the West. We have referred to the works committees in operation in two mills in Madras, and in the chapter on railways we have dealt at length with this subject. What needs emphasis here is that, where there is a trade union, the employer should seek its collaboration and co-operation in the establishment and working of these committees, which should not be regarded

or used as rivals to its influence. It is idle to expect that a committee, intended to forestall and prevent effective organisation on the part of workers, will secure their confidence to any large extent. We are anxious that prejudice shall not prevent trade unions from securing the facilities necessary for their development, but it will be generally recognised that the employer has the right of exercising his own judgment as to the *bona fides* of a particular trade union. The workers' representatives should have facilities for separate as well as for joint meetings; such meetings should ordinarily count as working time. The range of subjects should be as wide as possible. Finally, and most important of all, the principal representative of the management must be in sympathy with the idea and determined to do his best to make the committee a success. A manager (or other officer) with the will and the ability to appreciate the workers' point of view is the biggest asset a committee can have. Where a suitable labour officer has been secured, he will naturally play a large part in the working of the committee. His position should enable him to see that the workers' case is adequately presented, and he can act as their advocate when he is convinced that remedial measures are required. It is preferable that he should not act as the spokesman of the employers on the committee; this duty is best discharged by the manager or some other officer.

Value of Internal Settlement.

We come now to the question of the settlement of disputes. Here we would emphasise the primary importance of maintaining machinery for settlement within an industry. Public attention in India has naturally been concentrated on securing external machinery for settling disputes, *i.e.*, some authority either entirely or partly independent of the industry concerned. Such authorities can be of great value at times, but they cannot take the place of machinery established within an industry to deal with disputes as they arise. The external tribunal can seldom be invoked except at a comparatively late stage of a dispute, *i.e.*, when a strike has broken out or is imminent. By this time the dispute has generally attained its greatest dimensions, the parties have taken up positions from which it is difficult to recede; the spirit of compromise has disappeared, and an element of bitterness and exasperation has arisen which makes settlement difficult. Further, the external tribunal has to acquire its knowledge of conditions and at best this must be partial; those within the industry start with a better appreciation of the basic facts than any external authority can acquire. Finally, the task of conciliation, to be fully effective, must continue after a dispute has ended, and the work of an external authority cannot cover this stage. In this connection we are constrained to observe that unrest has been aggravated in more than one centre by the tendency to patch up a truce and secure a return to work without a permanent settlement of the bigger differences which have separated the parties.

Organisation of Joint Machinery.

The establishment of joint machinery for the settlement of disputes demands some degree of organisation in the industry. In the larger

industries and the main centres, the organisation of employers is more than adequate for the purpose. The organisation of the employees is, as a rule, weak; but we believe that in many centres it would suffice to make a start, and the working of joint machinery would go far to strengthen the better elements and to increase that sense of responsibility in trade unions which so many employers are anxious to develop. It would be unwise for us to attempt to lay down in detail any definite form of constitution for the bodies which in our view should be set up wherever conditions permit. Circumstances vary greatly from centre to centre, and in a matter where the spirit is all important and the form entirely secondary, it is almost essential that the method should be evolved by those who are themselves to operate it. It should be recognised that a dispute in one establishment is liable to spread to others in the same centre. The broad lines of organisation, therefore, should include, not only some joint committee or council within the individual establishment, but also a larger body representative of both sides of the industry in the centre concerned. The smaller body can be identical with the works committee where that is vigorous, or it can be separately constituted, and would deal with disputes affecting the single establishment. The larger body would deal with more general questions, and might also act as an advisory appellate body in respect of disputes which are confined to one establishment. We would add that in all industrial differences time is a factor of great importance. There must be some security that disputes will be settled promptly. The initial stages must be of an experimental character, for experience is scarce in India; but we would draw attention to the Ahmedabad system which has already been described and to the Mediation Rules approved by the Bombay Millowners' Association and the Joint Strike Committee in Bombay in 1928.*

Future Legislation.

There remains the question of the assistance that should be afforded by the State in the settlement of disputes. We have already given a very brief outline of the Trade Disputes Act of 1929 and of the almost continuous exploration of the subject during the ten years which preceded its enactment. As this involved a far more thorough examination of the subject than has been possible for us, and as little experience has yet been gained of the Act in operation, we feel some hesitation in discussing its provisions, and cannot attempt any detailed review. We note, however, that the Legislature, presumably on account of doubt as to the most suitable form of permanent legislation, limited the operation of the Act to five years. We do not doubt that some statutory machinery will be permanently required to deal with trade disputes, and it will be necessary to consider the form which such machinery should take before the Act expires in the first half of 1934. The best service we can render is to refer to some of the views expressed to us in this connection and to offer comments on a few of the outstanding questions which arise.

* These are published as Appendix XI to the Report of Bombay Strike Enquiry Committee, 1928-29; they have not yet been put into operation.

By so doing we may be able to stimulate thought on these questions in advance of the time when it will be necessary to make a decision.

Demand for Compulsion.

We note in the first instance the anxiety of a section of public opinion for the introduction of the principle of compulsion, either by making obligatory the reference of disputes to arbitration or by the enforcement of the awards of such tribunals as may be appointed to deal with disputes. As regards the compulsory reference of disputes to arbitration, there is in every important dispute a tendency for a section of public opinion to demand official action. This is due, in the main, to a feeling that in most industries the lack of organisation on the part of the workers makes it difficult for them to state their case effectively and to press their just claims. This is a point of view with which we have a considerable measure of sympathy. We are also impressed by the success which has attended the efforts of committees or individual arbitrators in the past, but it must be remembered that such authorities have generally been appointed only in cases where there was a distinct possibility of their achieving success.

Objections to Compulsion.

On the other hand, the objections to any scheme involving the compulsory reference of all disputes to arbitration are formidable, quite apart from the practical difficulties that confront such a proposal. We believe that the effect on industry would be disastrous if there was a general tendency to look to some external authority to preserve industrial peace and to discourage settlement by the industry itself. But, if it is accepted that every dispute cannot be referred, it follows that discretion must remain with some authority to determine when the statutory machinery should be invoked, and it is difficult to suggest any better authority than Government for this purpose. We hope, however, that, in the remaining period for which the present Act will be in operation, Governments will lose no opportunity of utilising their power to appoint Boards or Courts when they believe that this action will serve some useful purpose. There seems to be a tendency at present for Government to withhold their hand until a dispute has attained serious magnitude and constitutes a threat to the public peace. There may be a case for the appointment of a tribunal, even if there is little danger of disturbance and no clamant demand for action on the part of the public.

Enforcement of Awards.

The other direction in which it has been suggested that compulsion should be applied is in respect of the enforcement of awards. The view that a finding reached by a properly balanced and *quasi* judicial body should not be liable to rejection by either of the parties is intelligible. Moreover advocates of this view can point to the embodiment of it in certain legislation elsewhere. We doubt, however, if those who advocate it are fully conscious of the difficulties involved. It would be impossible to coerce large numbers of men into accepting terms on

which they are unwilling to work, and the parties would thus enter into the arbitration on an unequal footing. Further, it seems to us that if an award is to command sufficient confidence to justify its enforcement, it must rest, like a judicial finding, on the application of criteria which are accepted beforehand by the public. In other words, the principles which are to guide the tribunal's decision must be formulated in legislation. Even in respect of wages, we doubt if any satisfactory criterion for an equitable, as distinct from a minimum, wage is available; and this is only one of the questions that can come before a tribunal.

Public Utility Services.

The public utility services stand in a different category. Section 15 of the Act embodies the principle that those responsible for the maintenance of the services essential to the safety, health and welfare of the community shall not discontinue work without notice. The principle is accepted in a number of other countries and had found a place in certain other Indian Acts long before the Trade Disputes Bill was introduced; but it is not one which commands by any means universal assent. In our view the weakest point of the Indian provision is that, while it restricts the powers of workers in public utility services to coerce their employers, it gives in return no assurance that their grievances will receive a hearing. We have made elsewhere proposals to alter the position of railway workers in this respect. With regard to the other classes to whom the section applies, we think the question of providing means for the impartial examination of disputes should have early consideration. The danger that must be faced here is that the external machinery set up for arbitration may be invoked without adequate cause, *e.g.*, that strike notices may be sent whenever a workman is dismissed, and that there may be a corresponding disinclination to settle disputes internally. This danger can be minimised in various ways, *e.g.*, by making arbitration conditional on a definite failure of the parties to reach agreement in a reasonable time and on a substantial measure of support for an application, and by requiring a deposit of money with each application. The deposit required, which could be forfeited if the application proved to be trivial or vexatious, should not be larger than is necessary for the purpose in view.

Permanent Courts.

A further question which deserves attention is that of the establishment of permanent courts in place of the *ad hoc* tribunals for which the Act provides. A permanent tribunal would have two advantages. In the first place, its existence would eliminate the delay inevitable in constituting tribunals under the present scheme. By experience it would acquire intimacy with industrial questions and facility in dealing with them. On the other hand, it is important that the members of a tribunal should command the confidence of the parties, and there are frequently persons who, though eminently qualified to assist in settling one dispute, might be of little service in connection with another. Nor would it be easy to find non-officials who are prepared to serve on any tribunal when called. A possible alternative to a permanent court

in the leading industrial provinces would be the appointment of a permanent official chairman with whom different members could be associated in different cases, but there is nothing in the present Act to prevent a local Government from re-appointing the same chairman in each dispute.

Amendment of the Trade Disputes Act.

In respect of one section, we recommend an immediate amendment of the present Act. Section 13 is designed to prevent the disclosure by members of Courts or Boards of confidential information relating to trade unions or individual businesses. The main part of the section follows generally the British Act, but to this are appended provisions rendering any member of a Court or Board liable to prosecution at the instance of the person aggrieved by a wrongful disclosure. The members do not receive the protection against criminal prosecution ordinarily granted to public servants in respect of acts done in the execution of their duties, nor is it necessary for the prosecution to show that the disclosure was wilful or to prove that any injury has been done. Moreover no protection appears to be granted against a civil suit. We are inclined to doubt if a criminal prosecution is at all appropriate, at any rate in connection with a disclosure in an official report. It would perhaps be sufficient in a temporary Act of this kind to provide that no prosecution or suit should be maintainable on account of any breach of the section or any damage caused thereby, except with the previous sanction of the Government which appointed the tribunal

Neglect of Conciliation.

In concluding this chapter, we would emphasise the fact that the most useful form of State assistance in dealing with trade disputes is scarcely employed in India. The official outlook, like that of the public, has been concentrated largely on the final stages of disputes. As a rule committees and tribunals have been set up only when disputes had attained considerable magnitude, and when a strike was either imminent or in being. Individual officers, on the comparatively rare occasions when they have intervened, have also waited, as a rule, till the later stages. It is at the climax of a dispute, when the parties have completely failed to reach a common standpoint, that settlement is most difficult. At this stage public opinion tends to demand action. Government, which has been either unaware or a passive spectator of the earlier stages, may be compelled to intervene, and such intervention nearly always partakes more of the nature of arbitration than conciliation.

Conciliation Officers.

It is in the earlier stages that assistance of the right kind can be most valuable. We do not suggest that the heavy artillery of the Trade Disputes Act should be used at this stage; we would repeat that it is far better to get the parties to a dispute to settle it themselves than to put forward a settlement for them and attempt, by invoking public opinion or otherwise, to give it force. There are frequent occasions

when the tactful and experienced official can assist by bringing the parties together, or by putting before either party aspects of the other's case which may have been overlooked, or even by suggesting possible lines of compromise. India has tried to copy the less valuable part of the machinery employed in Great Britain whilst ignoring the most valuable part. There, less reliance is placed on *ad hoc* public enquiries of the kind contemplated by the Indian Trade Disputes Act than in the efforts of conciliation officers and others to bring the parties privately to agreement. The need of qualified officers to undertake conciliation is greatest in Bengal and in Bombay; but elsewhere also the heads of the labour departments or other qualified officers should undertake the work of conciliation.

Government's Contact with Disputes.

The existence of such officers should give an additional advantage, in that they will be able to keep Government in close touch with disputes in their earlier stages. Too often when the crisis comes, Government is inadequately informed regarding the antecedents and the merits of a dispute; indeed, in many cases it has received little information of it except that which comes at a late stage from those responsible for law and order. At present, even some officers dealing with labour in the provinces, lacking encouragement (and even permission) to interest themselves directly in disputes, tend to depend on police reports for their information. The attention of the authorities is thus apt to be concentrated too exclusively on the effects which a dispute is likely to have on the public peace and officers whose duties qualify them to act as conciliators sometimes receive no information of a dispute or are informed at a very late stage. An expert officer who had followed a dispute in its earlier stages would be able to take a wider view of the whole situation than those whose interest is rightly concentrated on a special aspect of it, namely, its relation to public security. Even when the expert officer's efforts to secure a settlement were unsuccessful, he should be in a position to give wise advice to Government as to the stage at which it could bring its influence to bear, either privately or by the appointment of a statutory Board or Court. We consider that every Government should have an officer or officers for this purpose.

CHAPTER XIX.—THE PLANTATIONS.

Plantation System.

We now pass from industries, properly so called, to a branch of activity which, while it is predominantly agricultural, has many features in common with industry. The plantation represents the development of the agricultural resources of tropical countries in accordance with the methods of Western industrialism; it is a large scale enterprise in agriculture. The plantation system connotes the acquisition of a limited but fairly extensive area for the cultivation of a particular crop, the actual cultivation being done under the direct supervision of a manager, who in some cases may himself be the actual proprietor. A considerable number of persons (the number may run as high as 4,000) are employed under his control in the same way as the factory workers are under the control of the factory manager, but there is one important difference in that the work is essentially agricultural and is not concentrated in a large building. Factories are to be found on certain plantations. Most tea gardens have their own factories for dealing with the harvested crop. A number of the coffee plantations in South India also have their own factories, but in them the process of manufacture is only a preliminary stage, the coffee being cured and finally prepared for export in factories outside the plantations. The factories in North India are open intermittently for a little over half the year, and those in South India for the greater part of the year. In both areas they employ only a small fraction of the workers engaged on the plantation. A point which deserves notice in connection with the plantation system is the extent to which it is under European management. About 90% of the plantations in North India and nearly all those in Madras and Burma are controlled and managed by Europeans; the small province of Coorg is the only area where the Indian planters are in the majority. The plantations managed by Indians in most areas are not only much fewer, but generally smaller in size, than those managed by Europeans. The cultivation of indigo was the earliest agricultural enterprise of the European in India, but the system of cultivation was not strictly the plantation system, as generally the indigo planter did not cultivate his lands with the help of hired labour, but preferred to enter into contracts with his own tenants and those of other landlords to sow a portion of their holdings with indigo, which was then sold to him at a fixed price.

Migration.

The plantations lie mainly in forest tracts largely cleared by the planters themselves, a process still going on over large areas. As a rule the local population was extremely sparse (or even non-existent) and, in the leading planting regions, a large supply of labour could only be secured by recruitment from distant parts of India. Thus, like the factory industries, the plantations have depended for their development on a continuous flow of labour from tracts far afield. The bulk of the plantation labourers, coming from other provinces and speaking a number of different languages, have to work in areas whose peoples, languages and

climates are foreign to them. This migration, which we have noted as being of cardinal importance in industry, raises problems no less serious here, particularly in Assam. The causes which lead to this migration are essentially the same as those which we have detailed in our discussion of the factory industries, but there are at least two important points of difference. In the first place, the migration to the plantations does not involve a radical change of occupation. The plantation worker is drawn from agriculture and in agriculture, though of a different type, he remains. In the second place, whereas the factories offer employment mainly to men, the plantations are eager to secure women as well as men, and take children also. The factories ask for individuals; the plantations want families.

Plantation Crops.

The most important plantation crop in India is tea; next to it, but of much less importance, are coffee and rubber. The cultivation of cinchona is of importance for the manufacture of quinine. It is almost entirely a Government enterprise; the cinchona plantations in Darjeeling and in South India are owned by the Governments of Bengal and Madras respectively, while the plantations in the Mergui district in Burma were started in 1923 by the Government of India. Apart from cinchona, the total acreage of which is less than 7,000, the other plantation crops are of minor consequence; pepper and cardamoms are grown in a number of coffee plantations and the latter is very occasionally grown in separate plantations. The following figures, which are taken from the statistics published by the Director General of Commercial Intelligence, show the different planting areas, with the acreage and yield of the principal crops and their average daily working strength:—

Province or Area.	Total area of plantations 000 acres.	Area under crop 000 acres.	Production 000 lbs.	Average daily working strength (Permanent and Temporary).
Tea (1929).				
Assam—				
Surma Valley	609	145	73,784	156,489
Assam Valley	1,039	285	185,157	400,995
Total ..	1,648	430	258,941	557,484
Bengal—				
Darjeeling	158	61	23,009	65,522
Jalpaiguri	288	128	85,427	125,632
Chittagong	28	6	1,517	5,745
Total ..	474	195	109,953	196,899

Province or Area.	Total area of plantations 000 acres.	Area under crop 000 acres.	Production 000 lbs.	Average daily working strength (Permanent and Temporary).
Madras—				
Nilgiris	73	32	11,403	30,759
Malabar	49	13	6,493	12,832
Coimbatore	36	22	9,700	27,217
Others	1	*	34	44
Total ..	159	67	27,630	70,852
Coorg	1	*	169	620
Punjab	10	10	1,930	10,995
United Provinces	28	6	1,489	3,871
Bihar and Orissa	15	4	853	2,902
Total British India ..	2,335	712	400,965	843,623
Indian States ..	190	77	32,033	86,849
Total India ..	2,525	789	432,998	930,472
Coffee (1929-30).				
Madras—				
Nilgiris	41	16	3,655	12,424
Malabar	15	4	548	2,302
Coimbatore	4	3	1,080	3,005
Others	27	15	2,786	8,889
Total ..	87	38	8,069	26,620
Coorg	61	37	14,668	21,886
Total British India ..	148	75	22,737	48,506
Indian States ..	130	88	16,687	43,998
Total India ..	278	163	39,424	92,504
Rubber (1929).				
Madras—				
Nilgiris	3	1	213	377
Malabar	44	13	2,301	4,634
Others	2	1	166	343
Total ..	49	15	2,680	5,354
Coorg	5	3	529	1,115
Burma	113	92	11,170	17,016
Total British India ..	167	110	14,379	23,485
Indian States ..	86	61	13,644	25,219
Total India ..	253	171	28,023	48,704

* Less than 500 acres.

Tea.

The tea industry was established about the middle of the nineteenth century, and it was at first believed that, for the cultivation of tea

in India, the seed had to be imported from China. Once it was discovered that the tea plant was indigenous to Assam, the future of the industry was assured. The earlier efforts to grow tea in that province were marked by many failures, but from 1859 there followed a period of speculation which continued until a severe crisis in 1866. From this the industry emerged on a much sounder foundation and its subsequent history in Assam and Bengal has been one of fairly steady expansion. The figures below show the growth of the industry in British India from 1875 onwards :—

Year.	Area under Tea in 000 acres.	Production in 000,000 lbs.
1875-1879 (average)	173	34
1880-1884 (average)	241	57
1885-1889 (average)	307	90
1900-1904 (average)	500	195
1910	533	249
1915	594	352
1920	654	322
1925	672	335
1926	679	364
1927	690	361
1928	702	372
1929	712	401

India is now the largest tea-exporting country in the world, and it is estimated that it supplies about 40% of the world demand for this commodity. We give figures showing the value of the exports of tea during the last four years and the percentage it bears to the value of the total exports from India. These figures include tea grown in Indian States.

Year.	Amount exported (million lbs.).	Value in lakhs.	Sum shown in Col. 3 as % of value of total exports.
1926-27	349	29,04	9
1927-28	362	32,48	10
1928-29	360	26,60	8
1929-30	377	26,01	8

Coffee.

The coffee industry began in 1830 when the first plantation was started in Mysore, but its cultivation is believed to have been introduced into India from Mecca as early as the 16th century. From Mysore the cultivation of this crop spread rapidly to Coorg, the Nilgiris, the Wynaad, the Shevaroy Hills and Travancore. By 1862 the industry reached its zenith ; three years later the borer beetle and the leaf blight which followed affected it seriously. As a

result, in the Wynaad, the Anamalais and the Nilgiris, considerable areas, formerly under coffee, have been converted into tea estates. In Coorg and in Mysore the industry has been able to hold its own. The area of the crop has shown a steady increase during the last 10 years, but the total acreage of coffee grown in British India in 1929-30 was under 75,000, which is only a little over one-tenth of the acreage under tea.

Rubber.

The only other important plantation crop is rubber, the systematic cultivation of which began as recently as 1900. There are only two tracts in which the climatic conditions are suitable for the growth of rubber on a commercial scale, namely, certain parts of Burma and the Malabar coast below the Western Ghats from Mangalore to Cape Comorin. The total yield, including the Indian States, is about 28 million lbs., of which Burma and Travancore each produces about 11 million lbs. The province of Madras accounts for only about 3 million lbs., and in Coorg the yield of rubber is a little over half a million lbs.

Plantations in Burma.

The plantations in Burma are mostly situated in the Tenasserim Division, which is the southernmost part of the province. Excluding cinchona, the only plantation crop in this province is rubber, of which the total acreage is about 113,000, but there is considerable scope for development. A feature of rubber cultivation is the small labour force employed as compared with tea or coffee. In 1929 the Burma plantations employed about 17,000 persons, of whom less than 13,000 were permanently settled on the plantations.

Planting Areas in India.

The plantations in India proper fall into two well-marked and widely separated groups—those in North India and those in the South. These groups present a number of points of difference. The North is limited to a single crop, tea, while the South is not so limited. From the labour point of view, the fundamental difference is the fact that the plantations in the South are situated close to the areas from which their labour is obtained. The Madras Presidency has a potential labour force very much in excess of its present industrial needs, and the increasing pressure of the population on the soil is driving large numbers to other parts of India and to such distant places as Burma, Ceylon and Malaya. In spite of this drain, the plantations and other industries of the province are experiencing no difficulties in obtaining labour. The planters of the North are less fortunate in this respect. They have to obtain recruits from long distances, and have also to face competition for labour from the coal mines of Bengal and Bihar and Orissa, the jute industry of Bengal, the cotton industry, the railways and the oilfields of Assam. As we show later, this factor of distance has an important bearing on the system of recruitment. Briefly it may be stated that the plantations of the South, like the factories, rely on a regular flow of labour which returns to its home at periodical intervals, whereas, generally

speaking, the planters of the North have endeavoured to secure permanent settlers. In the South the plantations extend to Indian States, in some of which, *e.g.*, Mysore, Cochin and Travancore, they are to be found in large numbers, while in the North the planting areas are almost entirely situated within British India. This is a factor which may present difficulties if labour legislation in the Indian States does not keep pace with British India, but we deal with this question in greater detail elsewhere.

Plantations in South India.

The plantations in the South are to be found in the highest parts of the Peninsula. The important planting areas in British India are the Nilgiris, Malabar, the Anamalais and the Shevaroys in Madras and the small province of Coorg. The Nilgiris form a large plateau at the junction of the Western and Eastern Ghats, with an average elevation of 6,000 feet above sea level. All the three main plantation crops are grown in this area, of which tea is now the most important, giving employment to about 31,000 persons, as compared with over 12,000 in the case of coffee and only about 400 in the case of rubber. Labour for the plantations in the Nilgiris is obtained locally and from the neighbouring districts of Coimbatore and Salem, a small proportion also coming from the Indian State of Mysore. Coffee, tea and rubber are also grown in the Malabar district. The coffee and tea plantations are to be found chiefly in the Wynaad, a table-land 60 miles long by 30 miles wide lying amid the Ghats at an average elevation of 3,000 feet above sea level. Owing to its rainfall, the rest of the district is suited only for the cultivation of rubber. The total labour force on the plantations is about 20,000, of whom the large majority are employed on the tea plantations. The supply of labour is mainly local, but part of it comes from Coimbatore, Salem and the Indian State of Mysore. The Anamalais are a series of forest-clad plateaux in the south of Coimbatore district, on the lower slopes of which a number of tea plantations have recently been opened, which employ about 30,000 persons. Coffee is cultivated on a very small scale. The plantations obtain over a third of their labour force from within the district and the remainder from Malabar, Salem, Tinnevelly, Madura and Trichinopoly. The Shevaroys are a small detached range in the Salem district. The plantations here are chiefly coffee estates, employing about 5,000 workers, all of whom are recruited within the district.

Coorg.

The small province of Coorg is a highland country to the west of the State of Mysore, on the summits and slopes of the Western Ghats. Coffee is the most important crop, but tea and rubber are also grown in small patches. The total labour force is about 24,000, most of which has to be imported from outside the province. The local inhabitants are the *Kodagas* or *Coorgs* proper, who from time immemorial were the lords of the soil, and the hill tribes, such as the *Yeravas* and the *Kurabas*, who were formerly their serfs but are now free. The *Kodagas* number

only about one-eighth of the total population of the province and many of them own rice lands or small coffee estates. The migratory hill tribes provide only a small proportion of the labour required for the plantations and for the cultivation of the paddy lands. The bulk of the workers come from the adjoining districts of South Kanara and Malabar in the Madras Presidency, and from the State of Mysore, which lies to the east of the Province.

Recruitment in the South.

The system of recruitment for almost all the plantations in the South is through labour suppliers, called *kanganis* or *maistries*, who receive from the planters loans free of interest from which they advance money to individual labourers or families wishing to go to the estates. These advances are debited to the labourers' account and are recovered during the period of their employment. The amount of the advances varies in different districts, but is estimated at an average of Rs. 15 for each labourer. Plantation labour in the South, like factory labour, is migratory in character and returns to its village every year for periods of from 1 to 3 months and in some areas even twice or three times in the year. But there is a marked tendency to return year after year to the same estate. According to the estimate of the United Planters' Association of Southern India, the percentage of workers who returns to the same estate varies from 60 to 90.

Penal Contracts.

The Madras Planters' Act of 1903 introduced the penal contract as a protection for the planter against the loss of the advances made to his workers. This Act remained after the repeal of the Workmen's Breach of Contract Act and was not finally repealed till January 1929. The evidence we received shows unmistakably that the abolition of the penal contract in Madras has not added to the planters' difficulties; if anything, it has promoted a more regular flow of labour to the plantations. We were informed that the planter in some cases had recourse to the civil law for the recovery of the advance, but the civil agreements which have replaced the penal contracts are usually made with the supplier of labour, namely, the *kangani* or the *maistry* and not with the labourer. In Coorg, the demand for a penal contract was made not only by the planter but also by the ordinary landholder, who also relied on outside labour for the cultivation of his land. This was secured by the application to the province of the Workmen's Breach of Contract Act. With the repeal of this Act the planter and the local landholder pressed for the retention of the penal contract, which was then legal in the Madras Presidency under the Madras Planters' Act. As a result, the local council passed a bill in 1926, known as the Coorg Labour Act, based on the Workmen's Breach of Contract Act, but at the instance of the Government of India the operation of the measure was limited to five years to give the planter time to effect the necessary adjustments demanded by changing conditions. During the years 1926, 1927, 1928 and 1929, 13,415 cases were instituted under the Act, 2,946 persons were ordered to work out the

contract or to repay the advance, while 39 persons were sentenced to imprisonment. At the end of 1929 the number of cases pending was 1,944. We were informed that, prior to the coming into force of this Act, breach of contract cases (which were then governed by the Workmen's Breach of Contract Act) were much fewer. In a large number of cases, the contract of employment under the Coorg Labour Act is signed outside the province before officials nominated by, but not under the control of, the Chief Commissioner of Coorg. The striking feature in the working of this Act is that in most cases the worker is not in the province when the case is instituted against him, and the warrant has, therefore, to be executed by the police of the district in which he resides. In Assam, as we show later, the penal contract was used to keep the labourer on the garden after he had arrived there, but in Coorg it has been used to ensure that he actually comes to the estate which has advanced him money. The Act will expire on 1st April 1931, and we trust that with it will disappear from India the last vestige of the penal contract. The representatives of the Coorg Planters' Association stated to us that they anticipated no difficulty from its abolition, but we were informed that in some quarters an effort is being made to press for its continuance. From the experience of the working of the penal contract in this province and its effects in other areas in the past, we have no hesitation in recommending that no further legislation of this type should be countenanced.

Planting Areas of North India and their Labour Supply.

In the North the important planting areas are in the province of Assam, and in Darjeeling, the Terai and the Dooars in Bengal. Excluding cinchona, which is grown by Government in the Darjeeling district, the only crop is tea. A few tea plantations are also to be found in parts of the Kangra district of the Punjab, the Dehra Dun district of the United Provinces, the Chota Nagpur Division of the province of Bihar and Orissa, and in the Chittagong district in Bengal; but these plantations are small, and the labour employed on them is obtained from the adjoining villages.

Darjeeling and the Terai.

The first tea plantation in Bengal was started in the Darjeeling district which lies south of Sikkim, with Nepal on its western and Bhutan on its eastern border. It consists of two distinct tracts, namely, the ridges and deep valleys of the Lower Himalaya and the Terai on level country at their base. The latter is only about 300 feet above sea level and the mountains rise abruptly from the plains in spurs reaching a maximum of 10,000 feet above sea level, the tea gardens occupying slopes from 6,000 feet downward. The Terai, formerly overgrown with dense malarious jungle, has now been extensively cleared for tea cultivation. The tea plantations in these two areas employ about 66,000 persons. The climate of the higher levels is too severe for the inhabitants of the plains, and the plantation labourers are mostly the descendants of immigrants from Nepal and Sikkim who have settled in the

district. Organised recruitment is prohibited in Nepal, but voluntary migration continues in spite of restrictions. Over 90% of the workers live on the gardens and many of them have lived there from their birth. A few of the gardens in the Terai which are on the foot-hills also employ Nepali labour, but generally the composition of the labour force and the methods of recruitment are much the same as in the Dooars.

The Dooars.

The cultivation of tea extends from Darjeeling to the Dooars (or strictly the Western Dooars) which is a submontane country, twenty-two miles in width, between the Tista and Sankosh rivers and between Bhutan on the north and Cooch Bihar on the south. The cultivation of tea spread rapidly in the Dooars, and by 1907 most of the available land suitable for tea had already been taken up. About 126,000 labourers are employed, most of whom are aboriginals from Chota Nagpur and the Santal Parganas in the province of Bihar and Orissa. The significant feature of recruitment for the Dooars has been the absence of any form of agreement or penal contract. Although labour is obtained from a considerable distance, the planters did not desire the application of the almost ubiquitous Workmen's Breach of Contract Act to this area. We believe that it is the absence of penal contracts, as much as any other factor, which has been responsible for the comparative absence here of the serious difficulties which have attended recruiting for the neighbouring province of Assam. At no time has it been necessary for Government to control recruitment for the Dooars, and except for short periods, the planters have been able to secure an adequate supply of labour, most of which is permanently settled on the gardens, only about ten per cent returning annually to their homes. The method of recruitment is mainly the same sardari system as is prescribed for Assam, but is subject to no official control.

Assam.

Assam is by far the most important planting area in the whole of India, and the tea gardens in this province alone employ more than half the total number of labourers employed on the plantations in British India. Tea is grown only in the lowlands, which form two valley areas. The northern, running just under and parallel to the Himalaya, is the valley of the Brahmaputra, known locally as the Assam valley, and frequently referred to in other parts of the province simply as " Assam ". It is a long valley, generally narrow and flat, and while tea gardens are to be found in all its six districts, nearly all the gardens lie in the four upper districts of Lakhimpur, Sibsagar, Nowgong and Darrang, in substantial parts of which tea gardens are almost continuous. The southern valley, known as the Surma valley, is a wider and much shorter basin, receiving a number of streams from three sides, which meet in the Barak, a river joining the Brahmaputra in Bengal. In this valley the tea gardens lie in a number of separate areas occupying low elevations or flat lands within the two districts of Cachar and Sylhet. The Assam

valley is the more important of the two areas and employs more than twice as many workers. The system of recruitment for Assam is governed by the Assam Labour and Emigration Act which imposes restrictions not to be found in any other part of India. The question of recruitment for Assam has a long history and, as it raises problems which are peculiar to Assam, we deal with it separately in the following chapter.

CHAPTER XX.—RECRUITMENT FOR ASSAM.

Scarcity of Labour.

From the point of view of the employer, the outstanding problem during the whole history of tea planting in Assam has been the scarcity of labour. Where the bulk of the tea gardens stand to-day was, seventy years ago, uncultivated and nearly uninhabited jungle, and for the expansion of the industry it has been necessary continuously to import fresh labour. The Surma valley was able to secure a certain amount of labour either locally or from adjoining districts in Bengal. But in the Assam valley the supply of local labour was negligible, and it was found impossible to obtain supplies from areas nearer than Chota Nagpur and Bihar. When it is remembered that, for many years, the only way of reaching the tea districts of this valley was by a steamer journey of several days up the Brahmaputra and an emigrant had to undertake a long railway journey in addition, the difficulties confronting the early planters will be realised. Even to-day, when it is possible to go by rail from any province right up to the head of the valley, most emigrants spend at least a week, and some spend much more, on the journey. At present the most important recruiting area for both valleys is Chota Nagpur and the Santal Parganas, whose aboriginal population is preferred for work on the tea gardens, but substantial numbers are brought from Bihar and Orissa, the United Provinces, the northern districts of Madras and the eastern and northern districts of the Central Provinces, while recruiting has been carried on as far away as Bombay.

This factor of distance and inaccessibility has made recruiting expensive, and it is this expense that has been responsible for many of the troubles associated with the supply of labour to Assam. Prior to the war there were few periods when a labourer could be imported at a cost of less than Rs. 200 ; at times Rs. 500 and even higher sums were paid to secure a single labourer. To-day the cost, as deduced from statements made to us by witnesses, may be estimated as varying normally between Rs. 120 and Rs. 200, and as being generally in the neighbourhood of Rs. 150*. As we shall show later, these sums are inflated by factors other than the mere cost of travel. These factors owe their existence indirectly to the fact that, even without them, recruiting could not be carried on cheaply. For this fact made it of the utmost importance that an employer recruiting a labourer should actually secure labour from him. An employer who was willing to spend even Rs. 100 in importing a labourer could not afford to do so if that labourer, shortly after reaching the garden, was to pass on to the garden of a neighbour in return for a small consideration or for other reasons. The efforts of the planters were therefore directed, almost from the first, towards ensuring that, if a man was recruited to work on a particular garden, he actually worked there and not elsewhere.

*Labourers recruited for one year or shorter terms can be recruited at a lower figure.

Principle of Indenture.

The obvious means of ensuring this was by legislation, and legislation was adopted. All the laws regulating recruitment to Assam (and there is a long history of these) were based on the principle of indenture. Even the present law contains provisions for indentured labour, which, however, have been rendered inoperative by means of notifications issued under the Act. The general scheme was that the labourer was bound by a contract to serve for a specified period on the garden to which he was recruited; if he failed to work without reasonable cause, or absconded, he could be punished criminally, and the planter had the right of arresting an absconder. As a set-off against the grant of these powers, Government prescribed a minimum wage and provided for the protection of the labourer in certain other respects. The system of indenture did not solve the difficulties ; it would be more accurate to say that it aggravated them. It increased the disinclination of labourers to go to Assam, and while the demand for labour became keener as the industry expanded, the supplies threatened to dry up. Assam had for long been regarded with justice as unhealthy, the labourer who went there had little chance of returning without the assistance of an employer, and he had to surrender his liberty for a term of years. The price of a labourer rose, and there grew a class of contractors and of professional recruiters, known as *arkattis*, many of whom were ready to adopt any device to secure the large prices obtainable for the supply of labourers. Grave abuses became common in the recruiting areas, and particularly in Chota Nagpur.

Reform of the System.

Finally, after various legislative efforts Government took the step of prohibiting all recruiting except by garden sardars, and also made it illegal for anyone else to assist, induce, or even persuade a recruit to go to Assam. A garden sardar is a man who has actually worked and is employed on a tea garden, and the operations of garden sardars are fenced round with numerous regulations. Local Governments were also empowered to prohibit recruiting absolutely in specified areas and these powers were used by more than one local Government. To this day a large part of the United Provinces is closed to all recruiting for Assam. Moreover, a body known as the Assam Labour Board was set up with a view to the better control of recruiting. This body, which is financed almost entirely by cesses on tea planters, is composed of representatives of the tea industry with an official chairman, and its duties involve the supervision of the machinery regulating recruitment in and emigration from the recruiting provinces. It has no responsibility for labour after it has arrived in Assam. These changes, together with the willing co-operation of the industry, secured their immediate object with the result that cases of serious abuse are now exceptional, though their memory remains in certain districts, and has still an effect on recruiting ; but the real difficulties remained unsolved. The Government of India had always professed adherence to the principle of free recruiting as the ideal in view ; but the alterations made in the law which restricted

recruitment to a single method, represented a step in the opposite direction, and they were not calculated to alleviate the scarcity of labour. From this point of view, a more progressive move was the endeavour to get away from the system of indenture. In 1908, by means of a notification, the provisions relating to indentured labour contained in the Assam Labour and Emigration Act (Act VI of 1901), which controlled and still controls recruitment for Assam, were withdrawn from the Surma valley and the two lower districts of the Assam valley, and in 1915 they were withdrawn from the rest of the Assam valley. From that date, the right of private arrest disappeared, and no penal contracts could be executed under Act VI. Unfortunately there remained on the statute book the Workmen's Breach of Contract Act, which dated from 1859 and was applicable to large parts of India. This Act made possible penal contracts of a slightly different type, and to it many planters, especially in the Assam valley, now turned. The Act was finally repealed in 1923 with effect from 1926, and there is now no Act under which a labourer in Assam can be criminally punished for breach of contract.

Character of Migration.

Before going on to discuss in detail the present system of recruitment and the changes we advocate, it is desirable to say something regarding the character and effects of migration to Assam, particularly as we found evidence in some quarters of a desire to discourage and even to prevent such migration. Reference has already been made to two points of difference between migration to the plantations and migration to the factories, namely, the plantations desire to attract women and children as well as men, and the change of work involved is not radical. Both of these features are prominently associated with recruitment for Assam. The planters there have consistently endeavoured to build up a labour force permanently settled in Assam, and this has given an additional impulse to the recruitment of families rather than individuals. Many labourers receive from the tea gardens small plots of land to cultivate their own crops, so that they are not only labourers but also, in a small way, agriculturalists on their own account. In this and a number of other respects, which we discuss when we deal with conditions on the gardens, the life and environment of the labourer have a closer resemblance to ordinary village conditions than to the life of the big cities. The recruit to an Assam tea garden has in many cases a prospect which is not limited to employment on a garden, for there is the possibility of becoming an independent cultivator in Assam. There has been a steady movement of labour from the tea gardens to the adjoining *bastis* or villages where labourers have been able to acquire Government land for cultivation. This movement has been assisted by the Government of Assam which is anxious to promote the colonisation of a sparsely populated province. Over 600,000 *ex*-garden labourers are settled on Government land, and in the census report for 1921 it was estimated that the total number of " foreigners " in the province attributable to the tea industry, was 1-1/3 millions, *i.e.*, 1/6th of the whole population of Assam. We shall have occasion later to dwell on the less satisfactory features of tea garden

life and their responsibility for the chronic scarcity of labour; but it should be recognised that one of the important causes is far from being a discredit to the industry, namely, the fact that many of those who serve it are able to leave it for a more independent existence.

Advantages of Migration.

Quite apart from the economic advantages which the development of the tea industry confers on India as a whole, we are satisfied that migration to Assam for work on the tea plantations deserves encouragement in the interests of labour. In any large scale migration, some immigrants are bound to find that they have made a change for the worse and, in the past especially, many must have regretted going to Assam. There is still considerable room for improvement in conditions generally; but for the great majority of the immigrants the change is for the better, and for some it is an avenue of escape from destitution and even servitude. We met no one familiar with conditions both in Assam and in the recruiting areas who wished to discourage migration. It is to be feared that some of the opponents of emigration into Assam were interested in preventing labour from strengthening its position in the recruiting areas. Having endeavoured to examine the question from both ends, the source of the labour and its destination, we are satisfied that the labourers generally improve their condition by emigration. The better features of existence on the gardens are many, and there are none of the worse features that cannot be found, in an aggravated form, in some of the recruiting areas. Nor should the effect of migration on those left behind be overlooked. Attention has already been drawn to the question of the pressure of population in the Report of the Royal Commission on Agriculture, and we would merely remark again that the mobility of labour is the greatest safeguard against the continuance of depressed conditions in particular localities and perhaps the most effective means of breaking down the vicious systems of bond-service, to which reference was made in a previous chapter. Under the *kamiauti* system in parts of Bihar, and the *vetti* and *khambari* systems in the north of Madras (to mention two examples of practices which we understand are not confined to these localities), the labourer borrows money from a landlord under a contract to work until the debt is repaid. The debt tends to increase rather than to diminish, and the man, and sometimes his family, is bound for life. Serfs are even sold and mortgaged. Such systems have now no legal sanction, and in Bihar special legislation has been adopted in the endeavour to eradicate the abuse; but it continues to exist. It will be readily appreciated that serfs who can escape from such a system and agriculturalists oppressed in other ways are ready to go to Assam, and that there are those who are vigilant in the endeavour to prevent them and anxious to discredit Assam by any means in their power.

Restrictions on Recruitment.

We are now in a position to examine in more detail the system of official control which regulates the recruitment of labour for the

eight districts of Assam in which the tea plantations lie. It is important to observe that the legislative restrictions which are imposed on recruitment for work in the districts in question have no counterpart elsewhere in India. Migration, as we have indicated, is a feature of Indian industrial labour everywhere. Workers may be assisted to emigrate to any part of India; even the employers in the tea areas of North Bengal adjoining Assam are subject to no hampering enactments, although they draw labour from areas where the Assam employer also recruits. The restrictions imposed on the movement of labour to these eight districts known as the labour-districts, are governed by Act VI of 1901 as amended from time to time. The recruiting areas to which this Act applies are Madras, Bengal, the United Provinces, Bihar and Orissa, the Central Provinces and Assam itself. The local Governments of these provinces, by means of notification, can prohibit recruitment, either absolutely or otherwise than in accordance with such of the provisions of the Act as may be specified in the notification. The question of the repeal of the Act and of the enactment of a simpler measure in its place has been for some time under the consideration of the Government of India, and we were supplied with copies of the correspondence with local Governments on the subject. We are in complete agreement with the view expressed by the Government of India that "the principle of complete prohibition of recruitment in particular areas" is no longer defensible. If it is feared that grave abuses will arise, it should suffice to vest local Governments with adequate powers of control over recruitment. But there appears to be no justification for the exercise of the power which is now conferred by Section 3 of the Act to prohibit recruitment altogether in particular localities. This power has been exercised in respect of five divisions and two districts of the United Provinces, and we find that the prohibition has not been withdrawn, in spite of the strong recommendation to this effect made by the Royal Commission on Agriculture, with which we are in complete agreement. We recommend that the power to prohibit recruitment should be withdrawn immediately, and that in future no barrier should be set up to prevent the normal play of social and economic forces in attracting labour from one part of India to another.

Present Procedure.

Before we deal in detail with the provisions of Act VI of 1901, and the question of its revision, it would be convenient to describe briefly the working of the present system of recruitment. Under the Act the only recognised method of recruitment is through the agency of garden sardars. The manager of a tea garden in Assam appoints as a sardar a worker who is willing to return to his home to bring up other members of his family or fresh recruits and gives him a sardar's certificate on which is shown the area in which he may recruit labour for the garden and the local agent to whom he is accredited. The certificate is countersigned by the magistrate of the district in which the garden is situated and is kept by the sardar in a tin cover which is

suspended round his neck. The manager pays the sardar his rail fare and other necessary expenses to the nearest forwarding station of the Tea Districts Labour Association, namely, Gauhati or Goalundo. On arrival there, the sardar is met by the agent of the Association and escorted to the transit depôt, where he is fed and his papers are verified. He is then given a rail ticket and travelling expenses to the local agent's depôt which is nearest to his village. The sardar in due course reports himself to the local agent who, after checking his papers, gives him a cash advance sufficient for the journey to his village and for his maintenance for a month or so. The sardar now departs and, if and when he returns to the local agent's office, he reports the prospects of recruitment and asks for a further advance. He may even bring a recruit or two with him in order to satisfy the local agent that he means business, for the number of recruits he is likely to secure determines the amount of the second advance. The recruit produced by the sardar is questioned by the local agent who, if satisfied that there is no valid objection to his being sent to Assam, enters in a register his name and other particulars as prescribed by the local Government. If so required, he also sends a copy of this register to the District Magistrate. The recruit is fed whilst he is kept at the local agent's depôt and is given a first payment of five rupees, a few utensils, one or two blankets and some clothing. He is sent with the sardar or, if the sardar sees a prospect of further recruits, in charge of a peon to Goalundo or Gauhati where he is received in the transit depôt. The Agent of the Tea Districts Labour Association then arranges for the final stage of his journey to the garden to which he has been recruited. Neither the sardar nor the local agent requires the recruit to sign any agreement, and his engagement is purely oral. The conditions of employment are explained to the recruit by the sardar, but it is the local agent's duty, by examining the recruit, to satisfy himself, so far as his knowledge allows, that there has been no material misrepresentation by the sardar. On his return to the garden the sardar is paid a commission which is generally stated to be ten rupees in the Surma valley and twenty rupees in the Assam valley for each recruit but, as there is no recognised limit, the amount paid by some gardens is considerably higher.

Defects of Act VI.

Act VI of 1901, which governs recruitment for Assam has been amended on several occasions; it was radically revised in 1915, and several of its important provisions have become inoperative by notification. The Act as it stands is unintelligible to most people; and several of its operative provisions are of doubtful validity, as they refer to a class which has now ceased to exist, namely, "labourers" who are defined as persons bound by a labour-contract to labour in a labour-district. A witness representing the Tea Districts Labour Association indicated to us that the Act had only once to be taken to the High Court, and its hollowness would be instantly exposed. But apart from the obvious defects in form, the Act, as now in operation, is open to other objections. It

seriously hampers the free flow of labour into Assam. The comparative immunity from abuses in recruitment which is secured by the Act is purchased at a very high price, not only for the industry but also for the workers it employs, for the high cost of recruitment, which is now inevitable, must react unfavourably on the remuneration of labour. The sardari system of recruitment is in theory the safest method of recruitment for the worker, for it entrusts recruitment only to *bonâ fide* workers, who are best fitted to give an accurate picture of the conditions obtaining on the garden and the least likely to make any misrepresentation. In actual practice the original intention is not entirely fulfilled. We were informed of instances where workers are sent down as sardars after they have spent only a few days on the garden. In such cases it is idle to suppose that the sardars have been on the garden sufficiently long to enable them to give to their fellow-villagers an accurate or a complete picture of the conditions obtaining on it; they are in fact, as was stated by one witness, petty recruiters who go through the formality of being sent up to Assam as workers in order to satisfy the conditions of sardari recruitment. Cases have also come to our notice of men who make a profession of going down as sardars to be recruited again for a different garden in order to pocket the payments which are made to new recruits. The sardari system is also quite inadequate for the needs of the industry and is obviously unworkable when new areas have to be opened for recruitment and when new gardens are being developed. As employers are debarred from employing licensed contractors, they have appointed a large number of workers as garden sardars irrespective of their suitability as recruiters. On an average, about 7% of the total number of adult labourers on the books of tea garden managers are sent out as sardars each year to the recruiting districts. It is estimated that about one-half of this number do not bring back a single recruit to the garden, and roughly one-third do not even return to their gardens. With an average of only one recruit per garden sardar, it is not surprising to find that the average cost per recruit is as high as Rs. 150. It has been stated to us that the loss of sardars and their return without a recruit are regarded by the industry as a mode of repatriation and as a form of leave with travelling expenses paid. The industry has, in fact, made a practice of appointing everyone who goes back to his country as a sardar, because otherwise the strict letter of the law does not allow any assistance to be given to him to return to Assam, unless he is again recruited by a duly appointed garden sardar. The cost of sardari recruitment thus includes the elements of a system of repatriation and of the grant of leave with expenses paid. We deal later with these questions but regard the present arrangement as unsatisfactory.

Propaganda.

Another striking defect in the Act is that it does not permit any form of advertisement or propaganda in the recruiting districts, except by the sardar himself. It is anomalous that a manager who goes down to a recruiting district to supervise the work of his garden sardars should be debarred by law from proclaiming to the villagers the particular advantages of his own garden. A case has even been mentioned to us in which a

tea garden manager was warned for carrying on propaganda in a recruiting district, not because he was guilty of any misrepresentation, but because he was acting contrary to the strict letter of the law. Believing as we do that the emigration of labour to Assam is of advantage to the recruiting districts, we consider it undesirable that honest propaganda by the industry should be ruled out. Another anomaly of the existing Act is that it renders illegal any assistance to emigrants, except through a garden sardar who may not always be available. A local agent would be guilty of a punishable offence, if he attempted to forward recruits who offered themselves voluntarily for service in the Assam plantations. In consequence, intending emigrants who are badly in need of relief have occasionally to be kept waiting till a garden sardar arrives before they can be given the required assistance to proceed to Assam. These restrictions cause unnecessary irritation and check the flow of labour to Assam.

Control over Recruitment.

The control which is exercised over recruitment for Assam is two-fold ; in the first place, it is exercised by the district authorities in the recruiting districts, and secondly, it is entrusted to a central agency known as the Assam Labour Board which was created in 1915 at the request of the industry. The dual control is overlapping, but, in practice, no difficulty has been experienced owing to the fact that the Board has always endeavoured to work in harmony with the local Government and to render whatever assistance it can in bringing cases of illegal recruitment to the notice of the district authorities who alone are empowered to start criminal proceedings. The Act requires a garden sardar, before he can commence his activities, to obtain from his employer a certificate which formerly had to be countersigned by the magistrates of the district in which he is employed and of the recruiting district. The latter countersignature has been dispensed with by local Governments by notification, but a condition has been imposed requiring garden sardars to work under the control of duly licensed local agents. The provincial Governments concerned have also framed rules under the Act relating generally to the supervision of recruitment, provision of accommodation and maintenance of registers by local agents, the production on demand of emigrants before magistrates or police officers, and the reporting of cases in which objections have been raised to the emigration of a recruit by the husband or wife, parent or lawful guardian. The penalty for failure to comply with the effective provisions of the Act or the rules framed thereunder and for inadequate supervision is the cancellation of the license of the local agent. A garden sardar can also be prosecuted and imprisoned, if he recruits emigrants without a proper certificate or independently of a local agent. Further, any person taking part in recruiting in contravention of the Act is liable to imprisonment. Recruits need not be produced before any official in the recruiting district ; the agency utilised for the registration of recruits is the local agent who is an employee of the industry but is also under the control of the district authorities. The local agent has thus two masters to serve, but in practice no difficulty has been experienced as the industry is anxious to co-operate with the local Governments in the maintenance of

clean recruiting. The link between the industry and the local Governments concerned with recruitment for Assam is the Assam Labour Board which supervises the work of the local agents. The Board does not, as its name would seem to imply, concern itself with the conditions of labour in Assam; it supervises the whole system of recruitment, but its functions cease with the bringing of abuses to the notice of the proper authorities.

Composition and Working of Assam Labour Board.

The composition of the Assam Labour Board has given rise to some criticism. It consists of 15 members, all of whom are representatives of the tea industry, and an official chairman appointed by the Government of India. The Board is required by law to meet at least twice a year, once to pass the budget and again to pass the annual report; very rarely does it meet more frequently. The ordinary business of the Board is entrusted to an Executive Committee consisting of the Chairman and four members, which also meets infrequently, much of its work being done by the circulation of papers. The industry has cast its net far and wide in its search for labour, and the activities of the Board extend to five different provinces and a number of small feudatory states. Under the Chairman are three supervisors whose main function is to supervise the work of local agents whose depôts are scattered over this wide area. Almost the entire expenses of the Board and its supervisors are met out of a cess payable by the owners of gardens in respect of emigrants and sardars, Government bearing only a small proportion of the salary of the official Chairman together with his leave and pensionary charges. The main feature of the Board is that it is predominantly an employers' organisation and the Chairman, while acting as the chief executive officer of the Board, has also to represent on it essentially different, and sometimes opposing, interests. Further, although Act VI of 1901 applies to labour recruited for all industries in Assam, representation on the Board is confined to the tea industry. It is not, therefore, surprising that in some quarters an impression exists that the Board is a recruiting organisation of the tea industry. The successful working of the Board depends on the close co-operation of the industry, as the local agents are not its servants but employed under a separate and independent organisation. The Board itself has little or no authority, and all it can do is to make recommendations to the industry or to Governments. Further, with the exception of the Chairman, the Board represents substantially the same interests as the principal recruiting organisation, the Tea Districts Labour Association. We were informed that the Board discouraged attempts to form other recruiting organisations, and, while we recognise that an increase of competition in recruiting is fraught with danger, it is hardly possible to expect employers, who are not members of the Tea Districts Labour Association or who differ from its policy, to feel complete confidence in the impartiality of the Board as at present constituted.

Extent of Abuses.

In spite of the obvious defects of Act VI of 1901 and the inherent weakness of the Assam Labour Board, the grave abuses of the past, which

were largely responsible for the bad name of Assam in the recruiting districts, have been very successfully held in check. The *arkatti* or professional recruiter, who in the days gone by used to boast that in a few minutes, by his peculiar methods, he could make any one "willing" to emigrate to Assam, is now suppressed as soon as he commences his activities. For this the credit is very largely due to the tea industry itself, which has genuinely endeavoured to set its house in order. Complaints have been made of fraud and misrepresentation by garden sardars, but we were unable to obtain any evidence of this on any appreciable scale. The emigrants are produced before local agents, whose duty it is to explain the conditions of employment to them before they are sent forward to Assam. As far as we can judge, cases in which labourers have gone to Assam as victims of fraud and misrepresentation must be few, considering the volume of the migration. It was stated that cases occur where members of a family run away from home, seek work in Assam and live there under an assumed name. Such cases, however, are not peculiar to Assam, and we do not feel justified in making any recommendation. A more serious complaint is that women and minors are taken away to Assam without the knowledge or consent of their husband or guardian. But here, too, we found that the industry has taken special care to prevent such abuses and that, in accordance with the rules framed by local Governments, women and minors are detained at the depôt for a certain fixed period during which the local agent institutes enquiries as to whether there is any objection to their proceeding to Assam. Nor does the evidence which we obtained in the recruiting districts lend support to the allegation that abuses in connection with the recruitment of women and minors are assuming alarming proportions. If abuses do exist, it is now within the powers of local Governments to check them by insisting on registration and production before a magistrate of all women and minors proceeding to the gardens unaccompanied by their husband or parent.

Ideal of Free Recruitment.

The official control of recruitment has always been regarded as a regrettable necessity and as a temporary expedient. On various occasions the Government of India have announced their adherence to the ideal of free recruitment, but little visible progress has been made towards the realisation of that ideal in recent years. As the preceding account shows, we have been impressed by the serious objections to control, and in particular the injurious effects it has on the tea industry and, ultimately, on those employed in it. A further grave objection to the present system is its tendency to perpetuate itself, thus effectively preventing the industry from progressing to a more healthy form of recruitment. The system of control enhances the cost of recruitment, with the consequence that temptations towards abuses are increased. This, in turn, increases the difficulty of removing control, and so furnishes the justification for its retention. We are in entire accord with the view that the danger of serious abuses affords the only justification for the continuance of control, and we have examined with some care the

possibility of abolishing all restrictions. We have been assisted in this direction by the official examination of the question in 1925 and subsequent years, when the Government of India again raised the question of free recruitment, but were advised by practically all those acquainted with conditions that the abolition of all control would be inadvisable. We have considered the opinions expressed at length in this correspondence and have reviewed them with the assistance of witnesses both in the recruiting provinces and in Assam.

Recruitment and Forwarding.

There are three stages in the emigrant's progress to be considered :—

(1) up to the time of his despatch from his own district;

(2) from that time until his arrival on the garden;

(3) after arrival there.

The term "free recruitment" has often been used to denote the position that would be reached with the abolition of all control. Here, however, we propose to use the term with reference to the first of the above stages only, and in that sense free recruitment, in our opinion, is not inconsistent with control over the transit of the emigrant. The considerations which determine how far control is required at each of the first two stages are not necessarily the same. This point is recognised clearly in the evidence given to us by the Indian Tea Association which, in asking for freedom to choose the agencies by which it will recruit, contemplates the possibility of combining this freedom with control over the forwarding of recruits. The representatives of the industry were also anxious that, as far as possible, control by the industry should be substituted for official control. Their plea was, in fact, that they should be given the opportunity of showing what they could achieve if this were done. Government could retain the power to re-impose restrictions, but it would be the aim of the industry to demonstrate by the actual working of the system that there was no necessity for re-introducing control. We consider that this is a reasonable claim, and in the proposals that follow we have done our best to meet it.

A New Act.

The first necessity is the enactment of a new Emigration Act and the repeal of the Assam Labour and Emigration Act. The Indian Tea Association has suggested that it might be possible to retain the Act and to construct upon it a better system of control. We are satisfied that this course is not possible, even if it were expedient. We have enumerated the principal defects of Act VI of 1901, and are satisfied that the time is overdue for its replacement by an Act which is intelligible and is satisfactory from both the legal and the administrative points of view.

Essentials of Any Scheme.

The main criterion which must be satisfied by any scheme of control is that it must give a reasonable prospect of eliminating itself. We regard as one of the gravest defects of the present system the

tendency, already explained, to perpetuate itself. The aim of recruiting should be to reach a point where, in effect, organised recruiting is unnecessary. In other words, by making conditions sufficiently attractive, the employer should reach the stage where, instead of having to go out and induce recruits to enter his employment, applicants for employment approach the employer. As we have shown in an earlier chapter, some of the important industries in India have passed through the earlier stage of having to search for recruits to a position where this is unnecessary. But apart from any other obstacles in the way of the tea industry, the present system of control effectively prevents progress in this direction. For the recruit, generally, has neither the knowledge nor the means to go to Assam without assistance; as a matter of fact, many of the fresh recruits to industry who go even to Calcutta and Bombay receive some assistance to go there. It is only in the case of Assam that neither the employer nor any one else can assist the labourer who is willing to migrate, except by the expensive and cumbersome expedient of sending down a garden sardar to sponsor the recruit. Our proposals, therefore, are designed, among other things, to facilitate the forwarding to Assam of recruits who, in the recruiting districts, offer themselves for employment. The essence of our scheme is that powers of imposing control should be retained, but that actual control should be reduced to a minimum. We proceed, therefore, to indicate, first, what we believe to be necessary in present circumstances and, secondly, the safeguards which, in our view, should be retained by Government in the form of powers to re-impose control, if necessary.

Free Recruitment.

First in importance, we would place free recruitment, using this term, not in the wide sense of removing all control over the engagement and forwarding of recruits, but in the more accurate sense of withdrawing all special restrictions on the agencies for obtaining recruits. In other words, we advocate that, in all provinces, there should be complete freedom to bring recruits to a forwarding agency and to engage them there. The Assam employer should be left as free as any other employer to select the agents whom he considers best fitted to obtain recruits. We believe that he will still rely in the main on persons who have worked in his garden, but he may find it advisable to secure recruits himself, or to engage recruiters permanently resident in the district in which recruiting is conducted. Further, if the attractions of tea garden life in Assam are increased, the result should be that recruits will offer themselves at the depôt without the intervention of any intermediary.

Control over Forwarding.

We believe that, at least so far as the more important recruiting areas are concerned, it is still necessary that there should be control over the forwarding of assisted emigrants to tea gardens. Where this control is required, it should, for the present, take the following form. Assisted recruits should not be forwarded except through a depôt maintained by the industry and in charge of a local agent appointed by the industry and

approved by the local Government or by such authority as it may appoint. The aim should be to require the industry itself to take adequate measures for the prevention of abuses. This responsibility can be best discharged by proper organisation for the provision and maintenance of satisfactory depôts in the recruiting areas and on the journey. Hitherto the arrangements for registration and transit have been largely in the hands of one organisation which claims 93% of the present recruitment for Assam. A number of gardens, mostly Indian-owned, are not members of this organisation nor have they been organised for recruiting purposes. The dangers of unorganised recruiting are obvious and it is essential that collective arrangements should be made, if the industry is to discharge its responsibility. If it is not found possible for this to be done through one organisation, we see no objection to suitable groups of planters forming themselves into organisations for this purpose. Each group able to satisfy Government that it could collectively fulfil the obligations of the law should be entitled to set up its own depôts and to place local agents in charge of them. The agent should be required to maintain registers of recruits in the prescribed form. The rules in force should also make provision for the detention of women and minors for a limited period, and the law should prohibit the forwarding of minors who are unaccompanied by a parent or guardian. The depôt and its registers should be open to the inspection of any officers appointed by the provincial Government for this purpose. From the stage when the emigrant is moved from the depôt, the rules should be made by the Government of India, who should make provision for the following of certain prescribed routes to Assam and for the maintenance, at necessary intervals, of depôts where the emigrants can rest, be fed and, if necessary, be examined.

Possibility of Removing Control.

So long as organised recruiting is required, it will be necessary for the industry to maintain their forwarding agencies, but the aim should be to reach a stage where all restrictions on forwarding can be removed, thus giving the Assam tea industry the complete liberty which is enjoyed by all other industries in India. Further, while we are satisfied that this stage has not been reached everywhere, we think that in respect of some recruiting areas it may be possible to remove all restrictions at once. Areas mainly inhabited by aboriginals do not stand on the same footing as other recruiting areas. The most serious abuses in the past occurred in connection with the recruiting of aboriginals, and it is there that control is likely to be required longest. As regards other areas, it is significant that from North Bihar and the United Provinces large numbers of persons are recruited every year by contractors, without control, for work in other provinces and in Assam itself, where they are engaged mainly on earth-work, and we had no evidence to suggest that any control was required in connection with such recruitment. Further, certain proposals which we make later in connection with repatriation and the liberty of the labourer should, if adopted, effect a transformation in the position with regard to recruitment. As soon as the fresh recruit going to Assam is assured of the

means to return after a limited period, the dangers of uncontrolled recruiting will be enormously reduced, and if, as we hope, a stage is reached when there will be more persons offering themselves at the depôts than can be accepted, the necessity for control should disappear entirely. We recommend, therefore, that in the areas not inhabited by aboriginals the Government of India, in consultation with the provincial Governments and the industry, should consider whether the time has not already arrived for dispensing with restrictions over forwarding. If they reach the conclusion that this is not yet possible, the control maintained should be of the character we have recommended. Similar control should also be maintained in the aboriginal areas, but the position in all controlled areas should be reviewed after the expiry of five years.

Power to Re-introduce Control.

We now proceed to outline the wider powers which the new Act should confer on Government as safeguards in the event of the recrudescence of abuses. Briefly, these should make it possible to re-introduce the system at present in operation with certain modifications. As has been already stated, it is not necessary that power should be retained to prohibit recruitment absolutely, but we recommend that the measure should be so framed as to enable Government to re-introduce in any area the prohibition of recruitment otherwise than by means of licensed garden sardars and licensed recruiters. In effect, this would enable Government, if satisfied that such an extreme step was necessary, to prohibit recruitment in any particular area except by garden sardars, for they would be in a position to withhold licenses from other recruiters. We hope that it will nowhere be necessary to re-impose restrictions on actual recruitment, but, if this necessity should arise, it would ordinarily be unwise to refuse licences to respectable and reliable recruiters resident within the recruiting districts. More effective control can be exercised by local authorities over persons of this character than over garden sardars, who may be back in Assam before their irregularities come to light. Further, the aim everywhere must be to reach the position when recruits come to the depôt without the intervention of an intermediary, and this implies that either the agent in charge of the depôt or some other agent of the employer there must have permission to engage the emigrant.

Definition of Assisted Emigration.

The new law should be limited to the control of assisted emigration and, in respect of the definition of both "assistance "and " emigrant ", there should be modifications of the present system. First, " emigrant " should be so defined as to exclude any person who has been employed within the preceding twelve months in any capacity in Assam. It is entirely wrong to treat the tea garden labourer who wishes to return to Assam after visiting his own country as a new recruit, as the present law requires. Provision will probably be necessary for the grant of certificates by employers to labourers intending to return. Secondly, under the new law it should not be possible to place restrictions on mere

persuasion and propaganda. The law should be designed to regulate merely assisted recruitment, and assistance should be defined so as to include nothing more than the giving of tangible assistance (*i.e.*, money or some concession having a monetary value) in order to induce a person to emigrate. Misrepresentation which results in emigration will, of course, remain punishable under the ordinary criminal law. Further, we propose later to provide an important additional safeguard against misrepresentation by securing that the emigrant who is recruited by such means be repatriated without delay at the employer's expense.

Scope of the Act.

The Act should apply to those provinces in which the present Act is in force, but the Government of India should retain the power to extend it to other provinces. We do not consider, however, that it should be possible to control recruitment within Assam itself. The movement of labour from one district of Assam to another cannot be regarded as emigration, and we are not in favour of making it possible to restrict such movements. The new Act should make it possible to extend control to recruitment for any work in Assam, but in present circumstances we see no justification for control except in the case of tea gardens. The only contingency which would make such control necessary, would be the recruitment of labourers for other work with a view to their early transfer to plantations.

Abolition of the Assam Labour Board.

We turn now to the agencies responsible for administering the system of control. We have already indicated some objections to the present constitution of the Assam Labour Board, but it is not proposed to pursue this question in further detail, because we consider that the Board has outlived its usefulness and recommend its abolition. We recognise that the Board and its officers deserve a share of the credit for the great improvements which have taken place since its inception, but those improvements are due in large measure to the tea employers acting through their own principal recruiting organisation, the Tea Districts Labour Association. The Board, in fact, owes much of both its weakness and its strength to its affinity, through the bodies electing its members, with that Association. The Board, in addition, served a useful purpose during a period when reforms were being attempted, by providing a link between the industry and the central and provincial Governments. The main difficulty in the existing system is that the Board, which is responsible for the prevention of irregularities, exercises with provincial Governments an overlapping control in the recruiting areas, but has no authority after the emigrant has reached Assam.

Supervision of the Emigrant.

As we have already stated, there are three stages in the emigrant's progress. Until now, attention has been concentrated almost entirely on the first stage, namely, up to the emigrant's despatch from his district, and over this stage there has hitherto been overlapping control.

With free recruitment, this stage will lose much of its importance, and we believe that the responsibility can be adequately discharged by district officials. Attention will have to be directed mainly to the second and third stages, namely, during the journey and after the emigrant's arrival on the garden. From the point of view of recruiting, the third stage is the most important one, for irregularities generally come to light after the emigrant has left the recruiting area and it becomes necessary to trace him in Assam. By this time he has passed beyond the reach alike of the Government of the recruiting province, its district staff and the Assam Labour Board; and the only authorities to whom recourse can be had are the administrative authorities in Assam. These are burdened with other duties and have inadequate powers, and in practice the attempt to deal with a recruiting offence after the recruit has left his province is attended by delay and is not always successful. The second stage is also important, for it is advisable to exercise some closer supervision over the transit of the emigrant in order to prevent the regular emigrant being sent otherwise than by the licensed depôts.

Protector of Immigrants.

What is wanted is an effective authority working mainly in Assam and definitely charged with responsibility for the emigrant during his journey and after his arrival, and entrusted with adequate powers to protect his interests. In other words, we desire to see not two authorities covering much the same ground, but two complementary authorities, securing the protection of the emigrant in different areas. We recommend the appointment by the Government of India of an officer in Assam who will look after the interests of emigrants who have not yet decided to make Assam their permanent home. He would be required to keep in touch with the recruiting provinces and would have the right at all reasonable times, with or without notice, to enter any garden in order to inspect the condition of the workers from other provinces, and of their housing accommodation, etc. He should also have the right to talk to them either in public or in private, and any person hindering or molesting him in the discharge of his duties should be liable to be dealt with as for a summary offence. It would be the duty of the Protector to bring cases of wrongful recruitment to the notice of the provincial Government concerned and to advise on all matters connected with the migration of labour to Assam. The Protector should also be entrusted with responsibility for the emigrant during the journey and should be in a position to take up the prosecution of persons forwarding emigrants otherwise than in accordance with the Act and of ensuring that the emigrant is cognisant of his rights under the law before he reaches the garden. The statute regulating recruitment should give the Government of India power to make rules for the protection of the emigrant during transit, and the Protector would be responsible for the administration of these rules and for advising the Government of India on matters arising out of their operation. We would add here that what we saw of the arrangements for the emigrant on the journey reflects credit on the Association principally responsible for them.

Cess on Emigrants.

With the abolition of the Assam Labour Board and of Act VI of 1901, which we have recommended, will disappear the cess which is now levied on garden sardars and emigrants. To meet the cost of the Protector of Immigrants and his staff, the law which will take the place of the present Act, should empower the Government of India to levy on emigrants a cess somewhat similar to the existing one. The cess would not, however, be payable on garden sardars or on emigrants who are returning to Assam after a stay of less than twelve months, so that it may have to be fixed on a somewhat higher rate on the remaining emigrants. The total expenditure on the staff we recommend should be less than that involved in maintaining the Assam Labour Board, whose abolition we have recommended.

Powers of Central and Provincial Governments.

The subject of internal emigration is at present central, and under the existing Act, the powers exercised by provincial Governments are subject to the control of the Central Government. We recommend that, as the question concerns movements from one province to another, the character of the control necessary should be finally determined by the Central Government. This will ensure that, where control is necessary, it is imposed with a view to the interests of India as a whole, and that the decision is not unduly coloured by local interests. We do not suggest that the Central Government should retain authority over the administrative control; it should be responsible merely for deciding the type of control that should be applied in any area. Thus, for example, if that Government were satisfied that it was necessary to re-introduce limitations on actual recruitment in any area, it would issue the necessary notification, but it would then be for the provincial Government to decide to whom licenses to recruit should be given. Similarly, the provincial Government will be responsible for taking action against a local agent who has been guilty of misconduct, and it should also be possible for provincial Governments to divide their provinces into specified areas, and to prescribe that recruits shall not be taken to depôts outside the area within which they were recruited. The appointment of the Protector of Immigrants should provide the necessary link between Assam, the recruiting provinces and the Central Government, and his annual reports should supply the public and the Governments concerned with a reliable account of conditions in Assam as they would appear to emigrants from other parts of India.

Need of Constructive Policy.

Many factors such as the rapid expansion of the industry, official restrictions, memory of past conditions and the drain from the tea gardens to independent cultivation have made it necessary to continue organised recruitment on a large scale. But there are other factors which contribute materially to the scarcity of labour experienced by the industry. We were struck by the wide differences in conditions obtaining in different gardens and their effect on recruitment. At one extreme are gardens

where health and welfare receive adequate attention and where sufficient land is available for private cultivation. On some of these the labour force has settled contentedly, and no recruiting has been necessary for many years. At the other extreme are gardens where conditions are such that all attempts at recruitment have failed to secure anything approaching a contented or adequate labour force. We deal later with conditions obtaining on gardens which have an important effect on recruiting, but wish to refer here to two definite deterrents to recruitment that call for a speedy remedy, namely, the lack of liberty for the worker and the difficulty of returning to his home.

Contracts and the Worker.

Recruitment for Assam has suffered grave injury in the past owing to the system of penal contract and of private arrest, to which we have already referred. The planters have shown a lack of confidence in their ability to retain labour, and there has been a constant tendency to rely on restraints of various kinds to keep the labourer on the garden. Even to-day, where successive amendments of the law have removed all the statutory restraints, there is ample evidence to show that the old faith in restraint in some form persists. The planter, to his own prejudice, has deliberately allowed the old ideas of the penal contract to linger in the minds of his workers. The bonus (commonly Rs. 12 for a man and Rs. 8 for a woman), which was given to a labourer when he entered on a "labour-contract", continues to be paid and is to this day referred to as the "girmit" or agreement money. It was stated that the discontinuance of the bonus would give rise to discontent as the workers had become accustomed to this lump sum payment; but this does not explain why it is still regarded as an inducement for future service. On many gardens the thumb-impression is taken when the bonus is paid, although this is not done when the worker receives his wages. The explanation given by one witness was that for purposes of audit a receipt was necessary in the case of the bonus, but no such receipts were required in the case of wages. The thumb-impression is usually taken on a register or on a piece of paper, but some planters have devised a form which bears a marked resemblance to the form used in the days of the penal contract, and we came across an instance where the thumb-impression was still being taken on the old form. In theory, the object of the thumb-inpression is to bind the labourer by a civil agreement, but as he is not likely to appreciate the difference between this and a penal contract, the practical result is that he believes himself still bound by a penal contract. In a number of instances the bonus is not in fact claimed, which shows that it continues to be regarded as a gift fatal to the liberty of its recipient. So far as we could ascertain, few steps had been taken to acquaint the labourers with the vital change made in the law; and some officials appeared to be apprehensive of the consequences of any sudden access of knowledge of this kind.

Restraints on Workers' Movements.

In other directions, too, there is evidence that the labourer's liberty is incomplete. The workers, for the most part, live in lines to

which the public have no right of access. Access is not ordinarily withheld in practice, but, whenever the manager considers it necessary, a watch is maintained on visitors, and there are almost always *chaukidars*, part of whose duty is to observe movements to and from the lines. It is contended by planters that no amount of vigilance can keep a labourer who is determined to leave; and *chaukidars* are probably employed more to prevent other employers from enticing labourers than to prevent the labourers themselves from leaving. At the same time, we had evidence that workers who wanted to leave even a good garden without permission found it advisable to do so by night. In speaking of a labourer who goes without permission the term universally used is "abscond"; and this term reflects accurately the position in which the labourer on some gardens finds himself when he wishes to seek employment elsewhere.

Employers' Agreements.

In a somewhat different category, but tending in the same direction so far as the worker is concerned, is the system by which most employers bind themselves not to entice each others labour. The agreement between the planters, referred to as the "labour rules", imposes a penalty for enticement and prescribes that, if a labourer goes from one garden to another, the manager of the latter must either eject him with all his belongings or refund the cost of his recruitment and the amount of any outstanding advance. The effect of this agreement is that no reputable planter attempts to obtain labour from another garden, and it is against the accepted standards to engage labourers, if there is reason to believe that they have left another planter. With the cost of recruiting as high as it is, such an attitude is intelligible and can, indeed, be defended as nothing more than the application of a principle familiar to other trade organisations. There is, however, no organisation on the workers' side to redress the balance; the effect of the system is to diminish still further the liberty of the worker to dispose of his labour to the best advantage and to add to the restrictions upon his movements. The effect of this policy, combined with the lack of organisation on the part of the workers, has been to increase the temptation to resort to a policy of restrictions in order to retain labour. The next chapter contains proposals designed to meet this difficulty, and some of the proposals which immediately follow, if adopted, should go far to improve the general position of the worker in his relations with the employer.

Knowledge of the Law.

The first essential, in order to secure the freedom of the worker, is knowledge. It is, to a large extent, his ignorance which restrains him. It is a matter for regret that when, in 1926, the vital change was made in the law by which penal contracts became illegal, little was done to acquaint the worker with the change. The cessation of criminal prosecutions for breach of contract is bringing enlightenment, but the process seems to be a slow one. As we have suggested, the informing of the workers would have been a wise policy for planters to have adopted,

and we recommend that they should now take steps in this direction. But the matter should not be left to their initiative. It is the duty of Government to secure that those on whom the legislature seeks to confer a benefit should be placed in a position to secure that benefit; and we recommend that all officers on whom any responsibility for conditions in plantations rests should be required to take active steps to acquaint the workers with their rights under the law.

Access to Workers' Houses.

This in itself will not be sufficient to secure that liberty which we regard as essential, and it is important for more than one reason that there should be a right of public access to the lines which the workers inhabit. The question of rights of way through tea gardens has been the subject of considerable discussion in recent years, and a resolution on it was recently adopted by the Assam Legislative Council. We are aware that at present access, by day at least, is rarely denied; but we do not regard as satisfactory the existing position where the workers are largely isolated from outside influence and any member of the public may be effectively prevented from approaching the workers' lines except with the manager's permission. On principle it is objectionable that considerable areas included within the garden grants, in which large numbers of workers are settled, can be entirely closed to any one who may be interested in their welfare. We have considered the point submitted to us, namely, the danger of interested people attempting to make use of the illiterate and ignorant labour force on the tea gardens for purposes unconnected with labour, but this is a risk to which every industry in India is exposed, and we think it better to face it than to continue a policy which inevitably gives rise to suspicion and is liable to be abused. We were informed that in the Surma Valley there are recognised public rights of way to all garden lines, and in the Dooars, where the labour force is similar in composition to that of Assam, the garden lease usually requires the planter to maintain roads from North to South and from East to West which shall be open to the public. It is in the Assam Valley that the right of access is most needed, and we recommend that steps should be taken to secure public contact with workers' dwellings on all plantations.

Publicity in Recruiting Districts.

In connection with the question of contact between plantations and the outside world, we desire to draw attention to the general ignorance regarding Assam and the absurd ideas prevalent regarding the life of the worker on tea plantations. Act VI of 1901 had the practical effect of making all forms of propaganda illegal, and with its repeal a systematic campaign should be organised by the industry to dispel the fog of ignorance which still prevails and to make known the advantages which the plantations have to offer to the inhabitants of other provinces. Leaflets in English and in the different vernaculars of the recruiting areas describing the climate of the province, the wages paid on the gardens, the nature of the work, the various concessions granted

to the workers and also the conditions under which an emigrant is entitled to repatriation, should be distributed freely in the recruiting areas and posted in all depôts from which emigrants are sent. For the benefit of the illiterate population, the leaflets might with advantage be supplemented by photographs illustrative of the life of the plantation workers. Attempts should also be made to encourage the emigrant to maintain touch with his own people. We were surprised to find how little correspondence exists at present between the worker and his relations (even his wife) in the home village. Illiteracy, the main obstacle, could to some extent be overcome by the employment on the gardens of a scribe, whose services should be made free of charge to the workers. We found that, on some of the estates in Ceylon, picture postcards, with space for writing, and with printed lines informing their relations at home of their arrival on the estate and of their postal address, are supplied free of charge to new recruits. We consider that a similar practice in the Assam tea gardens would help to destroy prejudices in the recruiting districts. The system might be adopted with advantage in other plantation areas.

Difficulty of Return.

So far as recruiting is concerned, we believe that the difficulty of returning from Assam acts as an even more serious handicap than any disabilities on the gardens. In spite of the improvements in communications which have taken place in recent years, Assam is still comparatively inaccessible. It is a long and expensive journey from the chief recruiting grounds to the gardens, and when the labourer has got to Assam, he is generally dependent on his employer for the means to return. In the old days comparatively few returned, and the belief was general that the man who went to Assam had no option but to remain there. More recently there has been increased contact with the recruiting districts. A comparatively new development has been the recruiting of workers for some gardens for fixed terms of a year or nine months or even six months, at the end of which they are repatriated by the employer at his expense. The transporting of immigrants for such short terms is a costly matter, and managers do not, as a rule, resort to short-term recruiting if regular labour is available. We do not recommend, therefore, any general adoption of the practice ; but, where it exists, it serves a useful purpose in improving contact with the recruiting areas. It embodies what we regard as essential to place recruiting on a healthy basis and to safeguard adequately the emigrant to Assam, namely, the right to repatriation. We believe that, if the worker went to Assam with a guarantee that he could return, if he so wished, after a reasonable period, many of the difficulties both of employers and workers would disappear.

Right of Repatriation.

Our main proposal is that every future assisted emigrant to an Assam tea garden, whether coming from an area of free or of controlled recruiting, should have the right, after the first three years, to be repatriated at his employer's expense. This right should be statutory, but as the volume of unassisted immigration to Assam is at present negligible,

we consider that it would be advisable for the planter, so far as the right of repatriation is concerned, to treat a worker who has come up on his own account in the same way as one who has been assisted to do so. We contemplate that, when an emigrant has served for three years, he should, unless he desires to stay, be sent back by the employer, receiving his fare and the means of subsistence on the journey. It will be necessary to devise some machinery for ensuring that the right of repatriation is everywhere effective, and this should be considered by the planters and the Protector in consultation, as soon as the latter is appointed. Among the matters which would require consideration are the number of days within which a worker who has completed his three years in Assam must be repatriated by his employer and the measures necessary to ensure that a worker surrendering his right of repatriation does so of his own free will. We anticipate that, under a repatriation scheme, some workers will desire to go and others will not : but we hope that a large number will be sent by their employers not with the single fare, which is obligatory under our scheme, but with the promise of a return fare also, *i.e.*, that they will go on short leave and will not abandon Assam.

Transferred Workers.

Provision will have to be made for the labourer who transfers his services to another garden before the three years have expired. In this case we recommend that the cost of repatriation should fall on the employer by whom he was last engaged before the three years expire. This will minimise the danger of employers securing labour without sharing in the costs of recruitment. It will probably be necessary to provide labourers with a certificate showing the date of their recruitment and the garden by which they were recruited. Such certificates can be given at a convenient depôt during transit and can be inspected by employers before engaging labour in Assam. A worker transferring his services to an employer outside the tea industry will surrender the right to repatriation.

Earlier Repatriation.

In addition, it should be possible, where adequate cause is shown, to secure the repatriation of a labourer before the three years have expired. Under the present Act, the District Magistrate can repatriate at the employer's expense any persons who have been wrongfully recruited or who are physically incapacitated from earning a livelihood. We would transfer this power to the Protector of Immigrants. At the same time we would enlarge somewhat the grounds on which repatriation can be ordered on the lines of the general conditions governing repatriation in Ceylon and Malaya. Thus the Protector should be able to order repatriation of any worker within one year of his arrival in Assam, if this is necessary on the ground of health, the unsuitability of the work to his capacity, unjust treatment by the employer, or for other sufficient reason. The employer should, of course, have an opportunity of presenting his case before an order is passed. This type of repatriation would be the exception and is designed partly to

secure the return of the "misfit" or unsuitable recruit. A number of employers already return such labourers of their own accord, and most planters have shown a readiness to repatriate workers when official suggestions were made to this effect. During the depressions in the tea industry and noticeably in 1920-21, it has not always been possible for all employers to provide an adequate amount of work to enable the worker to maintain his accustomed standard of living. Where an immigrant entitled to repatriation at the end of three years makes a claim that he is unable, with due diligence, to secure a normal wage or where the Protector discovers that this is the case and that the worker desires to be repatriated before the three years expire, he should have the power, after proper investigation and the establishment of the facts, to order repatriation at the expense of the employer. A worker dismissed at any time before the three years expire should be entitled, if he so desires, to be repatriated at the expense of the employer dismissing him, unless it is established that the dismissal was due to wilful misconduct. Finally, we recommend that in the case of physical violence by an employer or his agent, in addition to any other penalty which may be provided by law, the magistrate should be empowered to order the repatriation of the worker at the expense of the employer. In making this last recommendation, we do not desire to suggest that there is any widespread resort to physical coercion. We believe that the great majority of planters deplore, as we do, the use of such methods and recognise that even rare cases can do much to injure the whole industry. Unfortunately, a few connive at them or take insufficient pains to prevent their adoption by sardars and others. The presence of the Protector of Immigrants and the grant to him of the powers suggested should assist in protecting both workers and the industry against injury.

General Comments.

We are glad that the general idea of repatriation after three years was favourably received by the Indian Tea Association, including its two Assam branches, and by individual managers. It is not necessary, therefore, to labour the arguments in its favour. The scheme, if put into operation, should lead to a substantial increase in the number of candidates for emigration and for ever destroy the belief that Assam is a country from which return is difficult or impossible. It should lead to a healthy rivalry among garden managers in the matter of improving conditions, while it will give the labourer a greatly increased sense of security. We understand that a scheme of repatriation is already in force in the Assam coal mines, and we were informed that a group of gardens in Jorhat promise repatriation at the end of three years if the emigrant so desires. By the industry generally substantial sums are already spent in repatriation, for much of what is officially described as sending down garden sardars is in essence repatriation, and so regarded by the industry. Whether the changes involved in our scheme are covered by the diversion of existing expenditure or not, we believe that they will prove a profitable investment, and will secure an increased flow of labour, and thus lower recruiting costs. As regards the fear that the offer of

"free passages" will denude Assam of workers, we would observe that, if work is adequate, the right will be limited to new recruits, and that many workers, if they are given leave (either at the end of three years or earlier) and the means to return, will readily do so. With the abolition of penal contracts and similar restraints tea gardens, like other industrial establishments, must depend on offering sufficient attractions in order to maintain their labour force. The emigrant must be convinced that Assam holds out the opportunities of a better life than is open to him in his home land. If he is not convinced, nothing else will secure a flow of emigrants: if he is convinced, it will be difficult to keep him away.

CHAPTER XXI.—WAGES ON PLANTATIONS.

We proceed now to the conditions of employment on the plantations and deal in this chapter with the economic position of the plantation worker, *i.e.*, with matters connected with wages and the system of wage payment, leaving to the subsequent chapter matters connected with health and welfare, which are also of fundamental importance. In regard to wages, there are features which are common to almost all plantations, but there are important variations of method, and it is convenient to deal with each area separately. We begin with Assam, which is the most important, and then deal with the remaining planting areas in North India and finally with those in South India. We regret that no account is possible of labour conditions in the plantations in Burma, which we were unable to visit and in regard to which little information was available. We understand that, as a result of the continuing depression in rubber, many of these plantations have closed down temporarily, and the number of workers has decreased considerably during the last year.

System of Wage Payment in Assam.

In the Assam tea gardens wages and the system of wage payment were considered by the Assam Labour Enquiry Committee of 1921-22, which was appointed by the Government of Assam after the general exodus of the preceding year. The report of this Committee gives detailed information on the subject, and it is necessary here to refer only to the special features of the system of wage payment and to indicate the trend of wages since the publication of that report. The wages of the Assam tea garden workers are, for the most part, based on piece rates. The workers are employed in gangs under the supervision of sardars who, in addition to a fixed monthly wage, receive a commission varying from half an anna to two annas in the rupee on the earnings of their gangs. So far as the workers are concerned, there are two distinct systems of wage payment. The older system, still in operation on many gardens, is known as the *hazira* and *ticca* system under which the worker is required to complete a standard daily task, namely, the *hazira*—a term now applied both to the task and to the sum payable for its performance. The time which an average worker takes to earn the *hazira* is generally about four to five hours, or half a day, and there is thus the opportunity of working "overtime" usually at higher rates, the payment for which is known as *ticca*. The payment for the *hazira* varies in most districts from 4 to 6 annas for men and from 3 to 5 annas for women. The *ticca* is usually 4 annas for men and 3 annas for women, but the amount varies with the extent of overtime. We were given to understand that in Doom-Dooma, where conditions are exceptional, the payment for what corresponds to the *hazira* is 8 annas for men and 6 annas for women and that the *ticca* rate is 4 annas. This system has been largely replaced by the unit system, the basic principle of which is to give the worker greater latitude in the matter of attendance and to leave it to him to earn as much or as little as he chooses. Under this system payment is made for each unit of work, which in the case of hoeing and pruning is

based on the one-anna unit and in the case of plucking on the one-pice unit. Whichever system is taken into account, the consideration of wages resolves itself into the consideration of piece earnings. The periods of wage payment vary in different gardens; some pay weekly, some monthly and a few daily. Where wages are paid monthly, payment is usually made within 10 days of the completion of the month for which wages are due. A fact which must strike every visitor to the Assam plantations is that comparatively high average earnings do not necessarily mean greater contentment among the labour force; and we visited some gardens in which, though the average earnings were comparatively low, the workers appeared to be happy and contented. The explanation is that the actual cash earnings of the worker do not represent his total remuneration, and that an important element in the attractions of a garden is frequently the value of the 'concessions' offered in addition to the cash wage. It is necessary, therefore, to consider the nature and extent of these concessions before we proceed to the examination of the level of cash wages.

Land for Private Cultivation.

Practically every garden worker receives free housing, medical facilities and firewood, and many are given free grazing for cattle and land for cultivation, either free or at an uneconomic rent. To these must be added the grant of advances without interest, and in a few cases the issue of rice at concession rates. We deal later with housing, medical facilities and maternity benefits. Of the others, the concession to which the worker attaches most importance is the grant of land for private cultivation. The garden worker is essentially an agriculturalist, and his desire for the possession of a holding which he can cultivate with the help of the members of his family is great. This ambition for private land, if fully satisfied, would remove all desire for garden work, and in the allotment of garden land for private cultivation the planter has, therefore, to study his own interests as well as those of the worker. Hence the worker who desires and is able to set up as an independent cultivator has to move to Government land outside the garden, and private cultivation within the garden is confined to those families which can provide labour on the garden. The extent of this concession can be judged from the fact that in 1929 nearly 150,000 acres of land were held by garden workers as tenants of the garden proprietors. This represents about a quarter of an acre for each adult labourer living in garden lines; and, as the rent charged is substantially below the real economic rent, the value of the concession is undoubted. But all gardens are not favourably situated in respect of the amount of land available for cultivation by their workers. In most gardens the acreage which can be distributed among the workers is limited, and few gardens can offer a holding of any size to the majority of the workers. Further, in the absence of any tenancy law applicable to the garden grants, the enjoyment of this concession is entirely at the discretion of the garden manager. Strictly speaking, the worker has a right only to the crop which he has sown and can be evicted from his holding, even though he may have

devoted much labour to rendering it suitable for cultivation; but, so far as we are aware, eviction is not resorted to except for purposes of redistribution. The concession is unevenly distributed; in most gardens there are a number of workers without land, while there are a few who hold more than what is strictly their fair share.

Other Concessions.

The remaining concessions, such as free grazing, free fuel, advances without interest and the supply of rice at concession rates, are of less importance. The first two, where available, are not regarded as concessions, as they are enjoyed by villagers in almost all agricultural areas in India; on the other hand, the lack of such facilities in certain areas is felt as a deprivation. The third is frequently regarded with suspicion, as the worker naturally feels that he is bound to the garden till the advance is repaid and still harbours in his mind the unfortunate association of advances with penal contracts. The last concession is now rare, and we are glad to note that the practice of supplying rice on credit, which was condemned by the Enquiry Committee of 1921-22, has disappeared.

Other Factors.

Apart from concessions, there are two other factors which have an important influence on wages. In the first place, as we have shown earlier, the migration to Assam is one of families rather than of individuals, since the gardens offer employment to women and children as well as to men. In most other industries the scope for the employment of women and children is limited, and in consequence the worker usually leaves his family behind in his village, remitting money for its maintenance. On the plantations nearly all the members of a worker's family are wage earners, and even children of tender age come out with their parents to increase the family earnings. There are thus comparatively few non-working dependents in a working class family. The effect of this on the standard of living is important for, even with low individual earnings, the total family income may be sufficiently high to prevent the worker from feeling the pinch of poverty. The second factor is the extent of standardisation in the matter of wages, as a result of combination among employers. The tea industry in Assam is perhaps the most highly organised industry in the country, and the Indian Tea Association, with a branch in each of the two valleys, represents about 90 per cent of the total area under tea cultivation in Assam. The object of this Association is " to promote the common interests of all persons concerned in the cultivation of tea in India". We have already seen that problems connected with the recruitment of labour have been of primary importance for the development of the industry and that joint action has been taken through the Association to prevent the enticement of labour from one garden to another. But efforts to regulate the relations between employers and employed go further than this. In addition to the " labour rules ", the Association has been able to enforce what are known as " wage agreements " among its members in order to secure, as far as practicable,

uniformity in the matter of wages and to prevent the employer from paying substantially higher wages than his neighbour. The "wage agreements" are effected through district or circle committees which fix the level of wages for each area or district. Owing to differences in the character of the soil and in the nature of the work from garden to garden, it is not feasible to fix standard piece rates, but it has generally been possible for the district committees to ensure that the amount which can be earned in an hour by the worker of average capacity for each class of work is more or less uniform throughout the district. Each planter fixes his own piece rates but, in so doing, regard is paid to the agreement arrived at by the Committee in order that the wages of his employees may not be appreciably higher than the agreed level. There is thus none of the attraction of higher wages to tempt the worker to transfer his services from one garden to another. On principle there can be no more objection to the "wage agreements" than to the "labour rules" of the Indian Tea Association, but we would again point out that the workers suffer owing to the absence of any organisation on their side to counteract the powerful combination of their employers.

Importance of Cash Wage.

It has been pointed out that the popularity of a tea garden in Assam does not always depend on high earnings, and that several factors, *e.g.*, the system of wage payment, the employment of women and children almost to the same extent as men, the amount of rice land available for private cultivation by the workers and other concessions, have to be taken into account in considering the actual level of cash wages. It would not, therefore, be correct to assume that a garden worker in Assam is financially in a worse position than a worker in other industries, merely because his earnings are lower. We must not, however, be understood to be minimising the importance of the cash wage. Labour has to be imported from distant areas, and wages are the main factor influencing migration. It is not enough for an intending recruit to be told that he will be better off in Assam. He naturally desires to have some indication of the monetary return he may expect for his labour. With the increasing competition from other industries, the tea industry has experienced difficulties in securing an adequate supply of labour. The importance of an attractive wage has, indeed, been realised by the industry, whose consistent policy, at any rate since the troubles of 1921-22, has been to assist the garden worker as far as possible to increase his earnings. The elasticity of the system of wage payment enables the worker who has not yet been able to obtain rice land to secure increased earnings by longer hours of work, and we were shown instances of workers whose monthly earnings were considerably higher than the average. We were informed that normally there is no limit to *ticca* earnings. Further, new recruits not yet acclimatised or in a poor state of health are generally allowed a full *hazira* for the first month or two irrespective of output and, as we show in a later chapter, in some gardens monetary concessions are also given to children and to workers unable to work through sickness.

Average Earnings.

Piece work earnings are liable to considerable variations owing to the latitude which is allowed to the worker in the matter of a[illegible]ance. Statistics of average monthly cash earnings are furnished in the annual reports on immigrant labour published by the Government of Assam. These averages are obtained by dividing the total monthly earnings by the average daily working strength in the months of March and September. The former is regarded as a slack and the latter as a busy month for the tea industry in Assam. This calculation does not purport to represent the average monthly earnings of a worker or the amount which he could reasonably be expected to earn; it represents the monthly earnings of an average worker if he did not absent himself on a single working day—a condition which is hardly ever fulfilled. The figures as published do, however, provide an index of variations in average earnings from year to year. On this calculation the figures in the report for 1929-30, give the average monthly earnings in the Assam Valley as Rs. 13-8-7 for men, Rs. 11-1-7 for women and Rs. 7-8-6 for children. For the Surma Valley the corresponding averages were Rs. 10-11-0, 8-6-1 and 5-6-2 respectively. Except in the case of children in the Assam Valley, the figures show a small decrease as compared with 1928-29. Even so, the average earnings are substantially higher than those of 1920-21 as given in the report of the Assam Labour Enquiry Committee of 1921-22. There has been a fall in the cost of living during the past decade, and the economic position of the worker in the Assam plantations has undoubtedly improved considerably.

Absenteeism.

Absenteeism is an important factor, in the Assam plantations. The Enquiry Committee of 1921-22 worked out the percentage of the average daily working strength to the total number of labourers on the garden books for a number of years and came to the conclusion that the efficient working force for each of these years was about 75 % of the total. The Indian Tea Association stated in their evidence that absenteeism had increased in recent years, but this is not corroborated by the published figures for 1927-28, 1928-29 and 1929-30 of the average daily working strength and the total number of workers on the garden books. The percentage of the efficient working force during these years has remained remarkably consistent with the earlier figures in the report of the Enquiry Committee of 1921-22. The actual figures for 1929-30 were as follows :—

(*i*) Adult labourers (working and non-working) living in garden lines and on garden land ..	625,310
(*ii*) Number of labourers on garden books in September and March	505,001
(*iii*) Average daily working strength in these months	376,850
(*iv*) Percentage of (*iii*) to (*ii*)	74·6

The Assam Branch of the Association has pointed out that the months of September and March, on which both the figures given by the Enquiry

Committee and the figures for later years are based, do not give a true percentage of absenteeism, and they have supplied us with figures for a number of gardens throughout the year. These show for the selected gardens in 1929 an average attendance of about 69 % in the Assam Valley and about 74 % in the Surma Valley. Similar figures for previous years are not available, and the constancy of the published figures for September and March makes it unlikely that there have been substantial changes in the percentages attending at other seasons. In considering the extent of absenteeism in the Assam tea gardens, it is important to bear in mind the subsidiary occupations of the garden worker. The most important is private cultivation, but household duties in agricultural surroundings, such as the purchases of weekly supplies from the market, the collection of firewood, the grazing of cattle, the threshing of corn, etc., make a considerable demand on the workers' time and particularly on that of the women. Absenteeism is, therefore, to some extent inevitable.

Effect of Increase of Wages.

In Assam, as elsewhere, we met the allegation that the worker does not respond to an increase in wages and that, instead of raising his standard of living, he is content to do less work if he can earn enough for his bare subsistence. We have already dealt with this doctrine in the case of industrial workers, and what is said in Chapter XII on this subject is equally relevant in connection with plantation workers in Assam. There is ample evidence that the worker is steadily increasing his day to day wants. Despite his illiteracy, lack of organisation and geographical isolation, he has improved his standard of living in the last ten years and the plantation bazaars show the tendency of the luxuries of yesterday to become the necessities of to-day. Such evidence cannot be reconciled with the doctrine that there is a fixed subsistence level with which the worker is content.

Methods of Determining Wage Rates in Assam.

Our survey of the position in Assam has convinced us that the establishment of wage-fixing machinery for the tea industry, if practicable, is desirable. It has also given us reasons for believing that, if proper methods are adopted, a practicable scheme to this end can, in fact, be devised. We deal with the question of the desirability of establishing such machinery from the point of view first of the worker and then of the industry. Thereafter we deal with certain objections to the idea, and we go on to outline the procedure and methods which appear to us most likely to lead to a successful issue.

An important feature which emerges from the survey is the inequality of the bargaining power of the two parties to the wage agreement. As we have shown, there are powerful organisations of employers. As a rule, these have an understanding that the actual rates of wages shall not be increased without notifying their Association, a practice to which resort is seldom made. In effect this means that wage rates are

determined by the joint action of the employers, influenced by the extent of the supply of labour available for employment on the plantations. The workers on their side have no effective means of meeting this owing to the absence of cohesion among them. This is due to a number of causes, among which are the fact that they are emigrants from a distant country, speaking many different languages, the universal illiteracy, the preponderance of aboriginals and the comparative isolation of plantation life. Workers in such a position stand in special need of protection. This has already been recognised by the Government of India and the Indian Legislature, who have taken an active part in securing the introduction of minimum wages for Indian workers on the tea plantations in Ceylon and Malaya. We are satisfied that the position in Assam of the emigrant from Chota Nagpur is not essentially different in this respect from that of the Tamil emigrant in Ceylon. Indeed, the contact between the recruiting districts and the districts of employment is closer in the case of Ceylon than in that of Assam. The proposals we have made in another chapter are designed to effect a considerable improvement in this direction by giving the emigrant the assurance that, after serving for a reasonable period, he will be able, if he so desires, to return to his original home. But even when this system is in operation, the average labourer will still remain in a comparatively weak position, for the right of repatriation is not applicable to existing workers and, in the case of new emigrants, will cease after the first three years. Even those who have this right will not ordinarily be in a position to leave Assam until the time for repatriation comes. All these factors increase the danger that some of the workers may not receive a fair wage. This danger becomes greater in times of rising prices, when the existing rates tend to be maintained longer than would be the case if the workers were effectively organised. Further, there are certain individual gardens where the workers are not assured of the rates prevailing elsewhere. The weakness of their position is greatly enhanced by the measures which the employers have been compelled to take to prevent enticement of labour. These make it difficult for a labourer who is dissatisfied with conditions on one garden to find employment on another and they go far towards eliminating competition. Another restraint on the free movement of labour is the absence of alternative employment. Some of these elements in the weakness of the workers' position will, we trust, be eliminated at no distant date; but the fundamental weakness, namely, the absence of any organisation, and therefore of any effective method of collective bargaining, is not likely to disappear at any time in the near future.

Wage-fixing Machinery and the Employer.

We believe that the industry also is likely to gain from the introduction of wage-fixing machinery. For years the position of the worker in Assam has been the subject of widespread suspicion in other parts of India. In reviewing the conditions obtaining in Assam, it has been our endeavour to indicate how far that suspicion is justified and how far it is based on ignorance or misrepresentation. We

hope that our efforts will be of some assistance both in dispelling prejudice and in removing the grounds for complaint which at present exist. We have tried to show, especially in the preceding and following chapters, that in some directions the industry has gone to commendable lengths in the attempt to secure a contented labour force. By improving existing conditions it should be possible for the planters in Assam to offer intending recruits conditions greatly superior to those prevailing in the recruiting areas. At the same time, nothing would do more to restore confidence in such areas than the knowledge that the recruit was assured of the form of protection obtainable through statutory wage-fixing machinery. The existence of gardens where the wage rates can be cut reacts unfavourably on the whole industry; and unsatisfactory conditions, even on a few gardens, keep alive all the old prejudices against Assam and make it more difficult for even the best gardens to secure recruits. Moreover, the potential recruit is more likely to understand the position and to appreciate the advantage held out to him, if he knows precisely what pecuniary return is obtainable for his labour. The inauguration of wage-fixing machinery, therefore, should be as much to the benefit of the industry as to that of the workers employed in it. If the industry were in a position to give an assurance in the recruiting districts that on no garden could the rates fall below specified limits, a continuous source of danger should be eliminated; and the mere establishment of the rates at present prevailing in the better gardens should in itself constitute an important aid to recruiting. The establishment of minimum rates in Ceylon and Malaya has come mainly from the desire of India to ensure that its nationals who emigrate receive fair treatment. The establishment of wage-fixing machinery in the Assam tea industry should give the same assurance in respect of the emigrant to Assam and thus go far in placing that province and its main industry in a position where they would receive the sympathy and co-operation of all fair-minded men in the recruiting provinces.

Basic Rate and Wage Level.

In suggesting the establishment of statutory wage-fixing machinery we must not be understood to suggest, in an industry largely worked on a piece-rate basis, that the actual piece rates should be fixed by statute. In our view a careful investigation of the rates at present obtaining is necessary for the purpose, not only of determining the basic rates to be fixed, but of ensuring the establishment of the type of machinery best suited to the industry. We go on to indicate the general lines on which such an investigation should be conducted. It is not necessary to assume that the basic rate ultimately fixed would exceed that at present paid in the better gardens. The case for the operation of such a rate in Assam does not rest on the supposition that wages are exceptionally low. As a matter of fact, annual earnings in the Assam plantations are higher than those of agricultural workers in most parts of India, and in considerable areas of Assam they appear to be higher than in other plantations. On the other hand, we believe that in some gardens

the rates of wages are appreciably lower than in adjacent ones and that they should and could be raised at least to the general level; this would be secured by the adoption of such a system.

Experience in Ceylon.

Through the courtesy of the Colonial Office, the Ceylon Government and the Ceylon Planters' Association, we were enabled to see at first hand conditions of employment in the Ceylon plantations and to obtain advice regarding the working of the recent minimum wage ordinance. We do not seek to minimise the fact that the impetus to the inauguration of a legal minimum wage, both here and in Malaya, came from the Indian Government, and that employers, realising that their supply of labour, and therefore the very existence of their industry, was ultimately dependent on the good-will of the Indian Government, were not altogether free agents in the matter. However, the information which we received indicates that there is general agreement that the introduction of the minimum wage in Ceylon has been beneficial. Without placing any undue burden on the industry, it has guaranteed protection to the worker of his standard of living and to the employer from undercutting by his fellow planter. It was clear to us that it was receiving the whole-hearted co-operation of the planting community, and, as a result, was working successfully to the mutual benefit both of employer and employed, and with the minimum expenditure by Government upon enforcement costs. Indeed, we did not find any planter, whether speaking individually or on behalf of his Association, who advocated the repeal of the minimum wage ordinance and a return to the conditions prevailing prior to its inauguration.

Objections to Statutory Wage Regulation.

The representatives of the Indian tea industry who appeared before us were unanimously opposed to any scheme of wage regulation, perhaps not unnaturally; most official witnesses were also doubtful as to whether it would prove a practical proposition. The objections raised, however, appear to be due to a misconception as to its object and the method of its operation. There is, in the first place, the fear that wage rates would be raised unduly, and that the less prosperous gardens would be driven out of existence. These apprehensions were urged in Ceylon when statutory wage regulation was first mooted, but they have not been borne out by experience. The successful operation of wage-fixing machinery necessitates consideration of the question with close relation to the economic effects of any proposed rate upon the industry, and it is not likely that a properly constituted wage board would take action which would have the effect of bringing about a contraction in the industry and in the extent of employment open to labour in Assam. A more serious objection is that raised as to the practicability of applying statutory rates to work of the kind done on Assam plantations. It is urged that the character of the work varies from

season to season, and depends on the nature of the soil and other factors which are not constant within a district, varying even within a single garden, and that the output of the worker also varies according to individual skill and diligence. It has been already stated that low earnings do not necessarily denote unsatisfactory conditions, nor do high earnings always mean that conditions are good. But the objection seems to us to be based on an imperfect understanding of the operation of rate-fixing machinery. In Assam, as elsewhere in India, there is a tendency to assume that statutory wage rates must result in a fixed sum paid to each worker at the end of a month or some other period, irrespective of his task or output during that period. This is, in essence, the system in Ceylon, and when statutory minimum wages were in force for contract labourers on the Assam plantations, the wage prescribed took the form of so many rupees a month. We are agreed that such a system is not capable of general application in Assam. Any system of statutory wage rates, if it is to work equitably, must take account of the fact that the labourer is often a part-time worker, and that in many gardens it is impracticable, even if it were wise, to insist on every worker doing a full day's work.

Piece Rates and Time Rates.

Those who recognised that the fixing of statutory wage rates did not necessarily imply a fixed monthly wage, irrespective of capacity and output, appeared to be influenced by the belief that it would be necessary to prescribe in the wage ordinance the exact amount to be paid in the case of piece or task workers for different kinds of work such as hoeing, pruning, plucking, etc. The laying down of specific piece rates would no more be possible in Assam than it has been in Ceylon, and indeed no more desirable. Agreeing, therefore, that, so far as this system is concerned, the objections are valid, we go on to indicate what appears to us to be a system which is not open to these objections and which we believe to be the most suitable, if not the only practicable, system for Assam. In the case of workers paid on a time rate basis, this would involve the determination by the wage-fixing body of basic rates for male, female and child workers. In the case of those employed on piece or task rates, who form the vast majority in this industry, the employers themselves would fix the rate for the task, after determining its capacity to yield a worker of ordinary skill and diligence at least the amount determined by the wage-fixing body as the minimum earning for the given unit of time in the case of the worker employed by the piece or task. In other words, such a worker, as opposed to the slow or inexperienced worker, should be assured a minimum amount for the performance of a given task. The fixing of only one basic rate for children would be made possible if, as we recommend elsewhere, the starting age for child workers was restricted to 10 years. The existence of the rate would act as an additional check to the employment of underage children, who would clearly be unable to earn such a rate. It would be for the wage-fixing body to determine the age

at which a child should be deemed to be an adult for the purpose of the basic rate.

The " Hazira " and Unit Systems.

Rates of the kind suggested would make payment depend upon attendance and would, therefore, allow automatically for the part-time worker. Moreover, they could be applied either to the unit system or to the old *hazira* system. We would observe, however, that it has not yet been demonstrated that the unit system is in the best interests of employer and worker. The old *hazira* system is yet to be found on many gardens and, indeed, would appear to predominate still in certain districts and to be deeply ingrained in the minds of the workers. The *hazira* is the standard daily task which the worker should be able to complete in the morning, thus leaving the afternoon for *ticca* or additional tasks at overtime rates, should he desire to augment his " daily " earnings. The irregularity of the garden worker is chiefly in respect of the *ticca* or the afternoon work and we believe that no hardship would be caused if, on those days on which he presents himself for employment, he were required to attend for the half day, which corresponds roughly to the old *hazira*. We therefore suggest that the wage-fixing body should explore the possibility of fixing rates, whether time or task, on the basis of a half day's work, or a *hazira*, and, if necessary, of prescribing additional rates for *ticca*. This would ensure a reasonable minimum payment for each working day and would also simplify the task of time-keeping and of checking the adequacy of the rates paid. The machinery is, however, equally adaptable to payment on the ' unit ' system in the case of those employers who consider this system preferable to the old *hazira* basis.

The Basic Rate and the Present System.

The essential is that the piece rate fixed by the employer for a particular job shall be such as to yield the worker of ordinary capacity and diligence the statutory amount for a given unit of time. It is a significant fact that this is what employers have been doing under their present system since, no matter whether the task was hoeing, pruning or plucking, every planter was able to say what an " average " worker could earn per hour or per day on the rate fixed for the task, irrespective of whether it was based on the *hazira* or the unit system. Under such a condition the fast worker will naturally earn more and the slow worker less than the prescribed rate and there will be no question of the employer being required to make good the earnings of the latter. Thereby neither the employer nor the fast worker is penalised, and the worker who fails to exercise due diligence suffers the penalty of his slackness. In the case of the time-worker, all that is required is that he should be paid a minimum amount for work done during a given unit of time, unless a special exemption has been obtained by the employer from the proper authority to pay at an agreed lower rate on grounds of old age, ill health or other incapacity. The system of wage payment whether by time, piece or task, customary in Assam gardens could thus continue subject only to these requirements.

Preliminary Investigation.

To sum up. The evidence before us discloses no practical difficulty that cannot be surmounted by a proper choice of the methods and due care in their application. We do not, however, suggest that wage-fixing machinery should be inaugurated without further enquiry and investigation, which may disclose other difficulties to be overcome. We would emphasise the importance of inviting the co-operation of the industry at this stage as their practical experience should minimise the difficulties and be of great assistance in the prosecution of the enquiry. In the present case, a substantial amount of the material necessary to reach a decision is already available, and the extent of the investigation necessary is correspondingly reduced. In the first place, adequate information is already at hand regarding the distribution of the industry, the extent of its organisation, the scale of the different establishments, the amount of combination among employers and workers and the extent of employment of men, women and children respectively. So far as wages are concerned, particulars are also available regarding the methods of remuneration, but there is not sufficient material regarding the actual rates paid, and particularly the variations in this respect between district and district and between garden and garden. The securing of this information is necessary not only as a basis for the ultimate rates, but in order to determine the precise form of the machinery which should be adopted. In particular, an analysis of the rates should indicate the form of wage-fixing machinery best suited to the requirements of the industry, *i.e.*, whether there should be one Board with representative advisory committees in each district or whether there should be a number of separate Boards with a central co-ordinating link. Whichever course is ultimately adopted, there must be an assurance that the rates are everywhere fixed with close regard to local conditions.

Collection of Returns.

The first necessity, then, is the securing of adequate material regarding the rates of remuneration. The existing wage statistics are inadequate for this purpose, owing chiefly to the lack of any correlation between the earnings of the worker and his hours of work. Some expert assistance will be essential, and, so far as we are aware, there are at present no specialists in the subject in Assam itself. It will be necessary, therefore, either to secure the services of some one with experience of the working of wage-fixing machinery, or to arrange for a selected officer in Assam to acquire the requisite experience. Thereafter, Government should notify its intention to call for wage returns covering a period of at least twelve months, so as to include all classes of work undertaken in the different seasons. The form of the return to be submitted should be the same throughout Assam. To be of any value, the return must show the number of male, female and child workers employed each month, whether permanently or temporarily, the wages earned by each such group and as near an approximation as possible to the hours actually worked for those wages. It has been represented to us that a

record of the hours of work is impracticable, owing to the complete liberty of the Assam garden worker to come and go at his own pleasure. We appreciate the difficulty, but we believe that it can be overcome with reasonable discipline and organisation. The present system, which entails the absence of any systematic check on the hours of work, is no more in the workers' than in the employers' interests and removes all incentive to increase efficiency. If a basic rate had to be paid for work covering a given unit of time, the employer would ensure a minimum standard of efficiency, instead of allowing the worker to come and go at his will or to take his own time over his work. The worker, too, would soon learn to appreciate the importance of the time record, which is his ultimate protection against underpayment. Indeed, we believe that the keeping of such records would be an advantage rather than a disadvantage to the industry and that the recognition of this fact would be realised at an early stage. During the collection of the wage returns, it will be the duty of the official in charge by personal inspection of gardens to supervise the preparation and compilation of these returns and subsequently to institute a personal check of a small percentage so as to be in a position to arrive at a true understanding of present day conditions on a tea garden and the yield of the current rates. After the returns have been completed, it will be necessary to arrange for their proper tabulation and analysis.

Type of Machinery.

The tea industry, because of its past experience and its high degree of organisation, should be capable of devising a practicable scheme of wage-fixing machinery. We therefore recommend that at this stage Government should invite the industry to submit proposals for its consideration and approval. Government will then be in a position to make a final decision regarding the framing of the statute embodying the type of machinery considered to be most suitable for the purpose in view. On this point we do not propose to anticipate the decision by any specific recommendations, but we would call attention to certain cardinal points in the setting up of machinery of this kind. The main principle is the association of representatives of both employers and workers in the constitution of the machinery. Such representatives should be included in equal numbers, with an independent element chosen as far as possible in agreement with, or after consultation with, the representatives of both parties. We anticipate some difficulty here, in consequence of the absence of any organisation which can represent the interests of the workers. We do not, however, regard this as a sufficient reason for not adhering in the main to this ideal, with certain variations. The Wages Boards under the Ceylon ordinance are of this type and consist of five members in all—an independent chairman, two employer and two worker representatives. There the representation of labour is met by the appointment of *kanganis*. Not only do the exact equivalent of these men not exist in Assam, but we do not regard either them or their nearest prototype—the sardar—as being the most satisfactory type of labour representative available for a service of such vital importance

to the workers' welfare. The principle that "outsiders" may represent the illiterate workman until he has reached a more advanced stage, when he can select those who shall represent him is generally accepted. It will be necessary for Government to appoint disinterested persons, who are neither officials nor employers, to represent the interests of the garden workers on the Board. If and when workers' organisations come into being, these outsiders could be replaced by workers' representatives in the true sense of the term. We suggest that any Board or Boards should be large enough to ensure the representation of minority interests among the employers where these exist, but should be kept as small as is consistent with requirements, both in order to ensure expeditious working and to obviate difficulties in the way of finding sufficient persons to represent the workers' interests Further, it is not necessary, and will probably be found undesirable, to include any independent members other than the chairman, who should be a Government nominee and preferably an official of standing likely to command the confidence of both sides and hold the balance evenly between them. In the event of more than one Board being set up, it may be found preferable, in the interests of uniformity and co-ordination, to have a common chairman for all Boards. This will be a matter for consideration by Government and the industry. The members should not receive any salary as such, but, as in Ceylon, should merely be compensated on a fixed scale determined by the local Government for out-of-pocket expenses, which should be confined to the period of the sittings. The only other point we would stress is that, in view of the large number of women and children employed on plantations, it is desirable to ensure that the Board or Boards should include at least one woman.

Points for Consideration.

As regards the principles on which rates should be fixed, we think that it should prove neither necessary nor desirable to incorporate in the law any theoretical criterion to which such rates should conform, believing that the constitution of the machinery and the operation of the principle of common sense would, in this as in other systems of wage regulation, give due weight both to the human requirements of labour and to the capacity of the industry to meet those requirements. Experience has shown that free discussion round a table by employers' and workers' representatives, under the guidance of an independent chairman, breaks down suspicion and distrust and thus helps to promote an attitude of reasonableness and compromise on both sides, which ultimately leads to an amicable agreement. We believe that the tea industry of Assam would be no exception to this rule.

After the passing of the statute setting up the machinery, the following matters will have to be considered and determined :—

(*a*) the age at which a worker, male or female, becomes an adult for the purpose of the basic rate ;

(*b*) whether the workers paid by time and those paid by piece should be subject to the same or different basic rates ;

(c) whether overtime rates should be payable in respect of work for hours in excess of those constituting a normal "day";

(d) the system by which any non-able-bodied or sub-ordinary worker should be classified for the purpose of exemption from the operation of the basic rate and his appropriate rate determined;

(e) the best method of dealing with concessions.

As we have shown, concessions vary in quality and quantity and some are not available for a large number of workers. They can be divided into two distinct categories—those supplied to all workers, such as housing, and those supplied only to certain workers, such as land for private cultivation. We consider that, as under the Ceylon scheme, the Board or Boards should avoid assessing any monetary value in the case of concessions coming under the first category, for two reasons. In the first place, such amenities by long standing custom have been provided free of charge to the worker. In the second place, his wage rates are already based on the assumption that the expenditure under this head falls on the employer and that the worker makes no direct contribution. As regards the main concession coming under the second category—namely, land for private cultivation—some managers charge an uneconomic rent, others charge no rent and yet others have no such land at their disposal. It is clear, therefore, that in such cases the Board or Boards will be free to consider how to evaluate such concessions, where granted, and whether they should be related to the statutory wage rate.

Before a final decision is reached as to the basic rates, provision should be made for the proposed rates to be published and for consideration of any objections received within a specified time. After such consideration, the rates as finally approved should be submitted to the local Government for confirmation. The functions of the Board or Boards would here cease, and it would be the duty of the Government, if it confirms the rates, to give effect to them. Arrangements should, however, be made for annual meetings to afford an opportunity for consideration of the Government report on the working of the machinery, and to consider the necessity for proposing any variations in the rates in operation.

Inspection.

Another practical point of importance is that of enforcement. It is not uncommonly supposed that the enforcement of statutory wage rates implies "an army of inspectors", involving a large amount of both expense and irritation. We believe that, if basic rates of wages in Assam were fixed with due care and attention, only a small staff would be required for their enforcement. Owing to the seasonal nature of the industry, the tea factories of Assam, unlike those in Ceylon or in South India, are open for only part of the year. Moreover, the number of such factories and the nature of their inspection does not involve the volume of work to be found in a corresponding area in other parts of India, where one or more industrial cities are included, although in Assam the amount of time absorbed by travelling long distances by rail and motor has to be taken into consideration. We believe that the duties of factory

and wage inspector could be combined. The inspector would concentrate on both factory and wage inspection during six months of the year and entirely on wage inspection during the remaining period when the factories were closed. The effectiveness of wage regulation depends mainly on three things—the agreement of the industry, its degree of organisation and the efficiency of the enforcement. It is reasonable to anticipate that, by the time the promulgation of rates had been reached, the machinery in Assam, as in Ceylon, would be working with the agreement and active co-operation of the industry. Moreover, while the workers are completely unorganised (a fact which alone makes inspection by independent officials essential), the employers are unusually highly organised, the one Association covering over 90 per cent of the industry. The employer failing to observe the law would, in due course, become conspicuous and thus invite the attention of the inspector. We anticipate that the administration of the statutory rates during the first few years would be largely explanatory and advisory, with a view to assisting employers to make themselves thoroughly conversant with the requirements of the law. The application of an old type of legislation in a new sphere may often appear to those at first brought into contact with it fraught with many dangers and difficulties. If the enforcement of that legislation is characterised from the outset by sympathetic and understanding administration, these dangers and difficulties are found gradually to disintegrate, and what was first accepted experimentally with suspended judgment becomes a valued part of the machinery of the industry.

Wages in the Dooars.

The conditions obtaining in the Dooars are in many respects similar to those in Assam. The labour force is equally unorganised and the employers are represented by two independent organisations, namely, the Dooars Planters' Association and the Indian Tea Planters' Association. The former, which consists mainly of European planters, represents 128 gardens with an acreage of over 120,000 or more than 90 per cent of the total acreage under tea cultivation in the Dooars. The other Association represents the interests of Indian planters, mainly in the Dooars, but its membership also includes a few planters in Assam and in the Terai. The total acreage under tea represented by this Association is about 25,000. Formerly the system of payment was to fix a *hazira* for the daily task, while the worker, if he desired, could in addition earn overtime, which was known as *doubli*. With the rapid increase in the cost of living the planter preferred not to increase the rate of wages, but to decrease the task by introducing the system of a second and even a third *hazira*. The general rate of payment for the *hazira* is 4 annas for men, and 3 annas for women and children. It was stated that, on an average, a worker now takes about 3½ hours and 2½ hours respectively to complete the first and second *hazira* ; the completion of three *haziras* normally requires about 8½ hours, but in a few instances workers are said to be able to complete 4 or even 5 *haziras* in one day. The labourers work in gangs under a sardar who, in addition to a monthly wage, receives

from the planter a commission of one pice for each *hazira* worked by his men. In a number of gardens the wages are paid in a lump sum to the sardar who in turn pays the individual labourer. We were informed that this system had not led to any unauthorised deductions by the sardars, but it is fraught with danger to the labourer, who is frequently in debt to his sardar. For this reason we recommend that the direct method of payment should be universally adopted. The payment for the first *hazira* is made to the workers monthly, but the extra *haziras* are paid to them weekly. In the matter of concessions, the policy pursued in the Dooars is similar to that in Assam, and the factors to which we referred in dealing with Assam apply equally here. The representatives of the two planters' associations admitted that there was an understanding among their members not to raise the rates of wages. No limit is imposed on individual earnings and in some cases workers have been able to earn as much as Re. 1 or even Re. 1-4 in a day. No official statistics of average earnings are available, but we were informed by the representatives of the Dooars Planters' Association that the average monthly earnings in 1929 were Rs. 14-4-1 for men, Rs. 10-5-8 for women and Rs. 2-14-5 for children.

Other Tea Planting Areas in North India.

In the Darjeeling district practically all the tea estates are represented in the Darjeeling Planters' Association, and here, too, there is a "labour agreement" the object of which, as stated by the Association, is "to prevent undue competition between estates to secure labourers and to regulate matters arising out of the movement of labour from one estate to another". There is no organisation among the employees. Wages are fixed on a piece work basis and are paid weekly. No statistics are available as to the average monthly earnings of the workers, but, according to the statement furnished by the Association, the minimum earnings of an ordinary worker would be about 7 annas 6 pies a day for men, 6 annas for women and 2 annas 9 pies for children. It is stated that the earnings are higher during the plucking season and that, in addition to the money wage, the workers are given free housing and on most gardens receive plots of garden land, free of rent, for private cultivation. We have no information as to the proportion of workers to whom the allocation of land applies. The conditions obtaining in the Terai are similar to those in the Dooars. The important employers' organisation in this area is the Terai Planters' Association. The other planting areas in North India, *i.e.*, the Punjab, the United Provinces and the Chota Nagpur division in the province of Bihar and Orissa, are not of any great importance. Labour is recruited locally, the wages paid are governed by local considerations, and the close organisation among employers, characteristics of other planting areas, does not exist.

Employers' Organisation in South India.

In South India, as in other areas, the plantation workers are illiterate and unorganised, while on the side of the employers there are

effective organisations to protect their common interests. There are no less than 14 planters' associations, and nearly all of them are now under one federation, known as the United Planters' Association of Southern India, which represents about 63 per cent of the total area under tea, coffee, and rubber in the South. In its memorandum to the Commission, the Association states that "wages are generally fixed by district agreements and the amount is dictated by economic considerations and by the supply of labour at the time when it is required". We were told that a private planter could increase the scale of wages, after giving three months' notice to the Association, but in practice wages are not raised except by common consent.

System of Advances.

The system of wage payment on the plantations is generally linked up with the system of advances to which we have already referred. On arrival at the estate the labourer is debited with the amount of the advance which is outstanding against him and is credited from time to time with the wages he earns. For his maintenance he is given weekly advances which are also debited to his account. The accounts are made up monthly and are open to inspection by the workers, but in practice there is and can be little or no effective check on the part of the worker. When the time comes for him to return to his home, his account is closed, and he is paid the balance standing to his credit. In effect, the worker opens an account with his employer, receiving weekly the small amounts considered necessary for his maintenance and withdrawing the total amount standing to his credit at the end of his contract period. No interest is charged on the original advance, nor is any interest paid on the amounts due to the worker, which are held on his account till he leaves for his home. In a few cases where labour is recruited locally, wages are paid weekly or monthly, but the system which we have described above generally prevails in the plantations of the Madras Presidency and Coorg.

Prevailing Rates of Wages.

The prevailing basic rates of wages in the Madras Presidency are 7 annas a day for men, 5 annas a day for women and 3 to 4 annas a day for children ; in Coorg the basic rates are 6 annas for men, 4 annas for women and 2 to 3 annas for children. These rates are dependent on the performance of a daily task which varies from garden to garden. Work commences from 7-30 A. M. and continues till 4-30 P. M. with a break at noon for an hour or so. We were informed that the worker of ordinary capacity can finish his daily task well within this time and, if he chooses, can also earn more by doing additional tasks ; but, in the absence of any reliable statistics of the average earnings of the workers, we are not in a position to judge how far they supplement their daily wages by extra piece work. Plucking is paid for at contract rates, and we understand that the workers are then able to earn considerably more than their standard daily rates. In addition to wages, a bonus is paid in some areas to workers for regular attendance. Thus, in the

Nilgiris and in Coorg a bonus of 4 annas is paid to the worker for six days' work in the week. The labourers are employed in gangs under their *maistry* who is generally paid a small monthly wage; but his main source of remuneration is a commission on the total earnings of the men employed under him. The commission is usually equal to 10% of the worker's earnings, but in Coorg this is raised to 15% in the case of those workers who have not received an advance from the estate. As we have shown earlier, the final settlement of wages is not made till the end of the contract period, which is usually from the 1st of June till the 31st of March. The weekly payments made for the workers' subsistence are Re. 1 to Re. 1-4 for men and 12 annas to Re. 1 for women. These are not always paid in cash, and in the Nilgiris and the Anamalais the estates issue rice at concession rates to men and women and make a petty cash payment of 4 annas a week to each adult worker. The bonus, where paid, is included in the weekly disbursement, and on most estates the worker, if he so desires, may draw weekly the amount which he has earned above the daily rate. At the time of the final settlement the worker usually has a credit balance which he can take to his home. The amount naturally varies with each worker, but from the evidence which we received, the average would appear to be between Rs. 30 and Rs. 40. In some cases workers have been known to return with as much as Rs. 100. Sometimes, if it is believed that the worker will return to the estate for the next season's work, this amount is supplemented by a fresh advance and by the expenses of the journey.

Concessions.

Unlike the important planting areas of North India there is little private cultivation, as the workers return annually to their village, but small plots are often allotted for the growing of vegetable crops for private consumption, and free firewood is available to all. Free housing, medical facilities of varying standards and, in many cases, maternity benefits of differing amounts are also provided by the employer.

Defects of System of Wage Payment.

The system of wage payment in South India has one advantage in that it enables many workers to return to their homes with what must be to them a fairly substantial sum of money. It involves a saving of all surplus earnings, and it is no little credit to the planter that the worker places such complete confidence in him. On the other hand, the disadvantages in our view outweigh the advantages. It tends both to tie the worker to a particular estate, and to put an unnatural brake on that gradual adjustment of the plantation worker to a higher standard of living which the industry itself realises to be one of its greatest needs. Not only are the weekly payments small, but evidence was not lacking to show that in some cases the workers were compelled to take further advances from their *maistry* for wants which could not be met out of the weekly advance. Moreover, we believe that the system of payment of wages in full to the worker at regular intervals, a system in force in all other plantation

areas, would go far to break down the prevailing system of taking advances from the *maistry* at the time of recruitment. In view of their general indebtedness, few workers can resist the immediate offer of money in the hand or visualise the ultimate consequences to themselves of the ready acceptance of such offers. We feel, however, that any system of payment which, as we believe to be the case here, tends to encourage rather than to discourage this habit is to be deprecated. Nor can we approve a method of payment which precludes the worker from sending home sums of money from time to time for the support of such dependents as do not accompany him to the plantation. In discussing indebtedness we have made recommendations relating to the regular and prompt payment of wages, the recovery of recruiting costs, including the cost of transit, and restrictions on the recovery of advances. These are intended also for application to plantation labour. They should be of especial value in South Indian plantations in improving the independence. economic position and bargaining power of the workers.

NOTE ON WAGE-FIXING MACHINERY IN ASSAM BY SIR ALEXANDER MURRAY.

The question of wage-fixing machinery in Assam is discussed at considerable length in this chapter. While I agree that the creation of such machinery is desirable. I think it necessary to state the special considerations which have led me to this conclusion. The Indian Tea Association in its memorandum stated that, as so few labourers work the full number of days, it considered that the statutory establishment of a minimum wage is unnecessary and would be difficult to enforce. It also drew attention to the fact that a large percentage of the labour force cultivate land of their own and are in a different position from industrial workers who are dependent on their earnings for their livelihood. The representatives of the Association who gave evidence before us stated that adjustments of wages were left to the District Sub-Committees of the Assam Branches. Only superintendents and managers of gardens are eligible to serve on these Committees and a suggestion made by one of our members that they might co-opt suitable representatives of labour and possibly Government officials to determine the minimum wage or the common standard for the districts was considered worthy of consideration by the representatives of the Association who stated that, if they had a scheme put before them, they would consider it. They, however, did not consider that conditions on tea estates were so unsatisfactory, as compared with other industries in India and with those in the districts from which the labour emigrates, as to necessitate such a scheme in Assam.

The scheme now put forward in the Report gives details of matters that require consideration but, in my opinion, more attention should be given to the objections and difficulties indicated by the representatives of the Association and the planters in their evidence before us Apart from difficulties arising out of differences within the estates themselves, these representatives took objection to singling out tea specially and Assam tea in particular for the introduction of an innovation in the

form of a Wage Board. While indicating that they might not object if the principle were applied to all industries in India, they emphasised that they were more concerned with the wages of agricultural labour than those of industrial labour. These objections are based on the fact that it is exceptional to create wage-fixing machinery for agriculture and that, elsewhere, it is usual to apply such machinery in the first instance to sweated industries where organisation is defective.

The Report makes special reference to the high degree of organisation reached in Assam, where 90% of the acreage under tea is represented by the Indian Tea Association. Very early in the history of tea cultivation in Assam, the need for organisation and common action was recognised. As far back as 1859, it was found necessary to form a Tea Planters' Association for the purpose, amongst others, of organising a system of emigration to Assam. Other labour or recruiting organisations followed until in 1892 the Association, now known as the Tea Districts Labour Association, was formed to supervise recruitment. The Labour Enquiry Committee of 1906 emphasised the necessity for effective organisation to discourage and prevent enticement of imported labour from one garden to another. The Enquiry Committee of 1921-22 suggested that the District Sub-Committees of the Assam Branches of the Indian Tea Association should recommend decent monthly or daily rates of wages and the representatives of the Association in evidence before us stated that in certain cases these Committees increased the wages or reduced the tasks. Notwithstanding these long continued efforts on the part of employers, the need for combined action continues and indeed is recognised in our Report which contains many suggestions for increased common effort on the part of all concerned in the cultivation of tea.

The Report deals fully with the many factors which have contributed to the continued scarcity of tea garden labour in Assam and contains recommendations designed to remove some of the existing difficulties. The representatives of the Indian Tea Association and of the planters consider that the removal of restrictions on recruiting including freedom of propaganda, coupled with the right of repatriation for new recruits, will ensure a more plentiful supply of labour. It is hoped that, in this respect, the experience of organised industries in other parts of India will be repeated. In the case of Assam, however, the problems arising out of the long distances from recruiting areas continue and meantime make it difficult for tea garden workers, if they so desire, to find their way back to the villages without assistance from their employers. This, indeed, is one of the differences between Assam and other plantations, *e.g.*, Madras, where ample supplies of labour are available within easy reach. There is every likelihood, therefore, that organised recruitment and some measure of control will continue to be necessary for some time in the case of Assam tea gardens. In ordinary circumstances, scarcity of labour and the demand for it in competition with other industries should create conditions that would make wage-fixing machinery unnecessary. The conditions obtaining in Assam,

however, are exceptional and require special treatment. This is all the more necessary in view of the extent to which the free movement of labour to that province has been, and continues to be, adversely affected by objections to free recruitment made from the United Provinces on one side to Madras on the other. The association of representatives of labour with the organisations of employers in the establishment of suitable machinery for dealing with questions of wages would create confidence as well as make it difficult for any employer to pay his workers less than the rates generally ruling in his district.

These are the special considerations which have led me to believe that, in all the circumstances, the establishment of wage-fixing machinery in Assam is desirable in the interests of employers and employed alike. The existence of an Association representing 90% of the acreage under tea should make complete organisation possible on the employers' side. The absence of any organisation which can represent the interests of the workers, on the other hand, is a serious difficulty which will require special consideration. Apart from variations in the nature of the soil and in the work and yields on different estates, there are other circumstances peculiar to Assam which necessitate careful investigation. These include the part-time nature of the employment in most areas, the recognition of absenteeism to provide spare time for those who have rice lands or other subsidiary occupations to attend to and generally the advisability of allowing as great a measure of freedom as possible to the different classes of workers. The differences in the nature and cash value of concessions and allowances given to workers and the maintenance of registers to show actual working hours and earnings of individual workers will add to the difficulties of enforcement and administration. All these factors indicate that careful previous enquiries are necessary before it can be decided that the establishment of statutory wage-fixing machinery is practicable in the tea plantations of Assam.

I am of the opinion that full advantage should be taken of the high degree of organisation and experience of the Indian Tea Association and of the Assam Branches and District Committees. They should be invited to consider the extent to which machinery of the type suggested is practicable and can be made effective. If possible, they should prepare a scheme under which representatives of the workers can be associated with the representatives of employers. Full representation of all interests concerned is desirable and, as in Ceylon, it may be found necessary to make statutory provision for effective enforcement and for the inclusion of an independent element by the appointment of suitable Government officials. The practice in Ceylon, where the system of separate District Boards is in force, points to the advisability of utilising the experience of existing organisations in Assam in the shape of District Committees. Questions regarding the most suitable type of machinery and the most likely methods of enforcement and administration are matters which can safely be left to Government and the industsy for consideration.

CHAPTER XXII.—HEALTH AND WELFARE IN PLANTATIONS.

Health Conditions and Health Statistics.

The health of the worker in plantation areas is a question of primary importance to all concerned. The plantation manager rarely fails to realise that, in carrying out the duty of conserving his workers' health, he is also serving his own best interests. Not only does a high morbidity rate handicap production and reduce earning capacity, but experience has shown that it is easier to attract labour to, and keep labour on, a healthy garden than an unhealthy one where, for instance, malaria is rife. The necessity for the accurate maintenance of records of sickness and mortality is less generally realised. Without these it is difficult to determine variations in health at different periods and between different areas and populations, or to estimate the effects of expenditure on prevention of disease. The methods of registration in India make it almost impossible to extract birth and death rates for industrial workers from those of the general population, but in the plantation areas we have been given records of vital statistics for a number of individual estates. These show that, generally speaking, the death and infantile mortality rates of plantation populations are considerably lower than the corresponding rates of the respective provinces as a whole. This seems to indicate that both economic and general health conditions are of a higher standard than those in the average rural or urban area. In Assam birth rates are generally lower than might be expected, probably owing to omissions in the registers; we believe that, as and when accurate records are obtained, the registered birth rates on the plantations will gradually rise above the recorded provincial rates. No garden visited by us in Assam had a registered death rate exceeding 36 per 1000, but under present regulations, such rate must be at least 70 per 1000 before a garden can be classed as "unhealthy". We consider that such a classification is unnecessary, and that, apart altogether from these figures, continuous attention should be directed to prevention of the causes of ill health and mortality. In the estates of South India birth rates generally are considerably higher than in Assam, probably as a result of more accurate registration. Rather surprisingly, the infantile mortality rate showed no corresponding increase. This variation, which may be due to the lesser prevalence of malaria, cannot be attributed to better economic conditions or superior physique. We recommend that all managers should be required to maintain birth and death registers, and that by inspection Government should ensure that these are reasonably accurate.

Physique, Nutrition and Dietary.

Apart from the gardens where malaria and hookworm were rife, the physique of plantation labourers and their families appeared to us to be satisfactory, and the general standard is certainly higher than that of the population of the recruiting areas. We were informed that the physique of new recruits was frequently a matter of concern to garden managers, who sometimes found it necessary to issue free food for several

weeks to a proportion of new arrivals in order to improve their physical condition before they were set to work. This is not surprising when it is remembered that these emigrant labourers are in many cases forced to leave their villages through sheer want. But on the gardens visited by us few signs of malnutrition were evident either in the adult working population or amongst the non-working children ; and medical evidence was to the effect that the dietary of the plantation labourer is fairly satisfactory, in that articles such as milk, *dal,* and vegetables are frequently added as supplementary to the staple rice diet.

Supply of Milk and Vegetables.

We do not intend to imply that malnutrition does not exist, or that improvement is unnecessary. Indeed we believe that much larger supplies of fresh milk, *ghi* and vegetables are a vital need for the labour forces resident on the plantations, if their general health is to be improved. In order to obtain the first, suitable land for the grazing of cows should be set apart on each plantation, as is already done on many gardens. As regards the second, the suggestion has been made that estate managements might with advantage lay out vegetable gardens from which fresh supplies could be obtained. Alternatively, where separate plots of land attached to the individual workers' houses are not feasible, an area should be set aside on each estate for allotments which the labourers themselves could cultivate. Where possible, a more generous allocation to them of land for grazing and for cultivation would not only effect improvements in their health by providing the necessary animal fats and vitamins, but would also promote a spirit of contentment in a people actuated by a deep inborn love of land.

Malaria.

Infection with the malaria parasite plays a very important part in lowering standards of health and physique. In every plantation area, whether in North or South India, malaria causes most of the sickness and is chiefly responsible for the existence of 'unhealthy' gardens, whilst malaria-ridden plantations are as unpopular with the labourers as healthy plantations are popular. In one garden which we visited, where the incidence was very low, it had been unnecessary to do any active recruitment for over 20 years. In another the manager admitted that his labour force was infected 100% with malaria, and that very little anti-malarial work had been undertaken. Low standards of health are avoidable, and as a good example of what can be done, we would cite the admirable results obtained in the Labac area of Assam. There, by the practical application of the chief medical officer's researches, large reductions in malaria incidence were effected at a comparatively moderate cost. We believe that the effective control of malaria would bring about a radical transformation in the health conditions of the plantation areas. One result would be to increase the effectiveness and contentment of the existing labour force. In addition less difficulty would be experienced in reconciling labour recruits to the new conditions of life.

Anti-Malarial Measures.

Many planters and garden medical officers already realise the importance of the malaria problem. The average garden medical officer, however, has little time to devote to the investigation of diseases or to practical preventive work, and the Indian Tea Association in North India and the United Planters' Association of Southern India both agreed to our suggestion that it would be of advantage to employ expert malariologists. We were informed, indeed, that steps had already been taken to obtain one such expert for a group of gardens in the Wynaad. More than once, however, in the evidence given to us in Assam, considerable doubt was expressed in regard to the results to be obtained from money spent on anti-malarial schemes, because the adoption of certain recommendations had failed of their promise. In reply to this objection, we would emphasise the great importance of detailed investigation before embarking on extensive anti-malarial measures. Unless a scientific basis has been laid by thorough examination of local conditions, large sums can easily be wasted without result or even with the result of increasing the incidence of the disease. The Indian Tea Association has made generous grants to the Calcutta School of Tropical Medicine to assist its researches on malaria and hookworm and has also helped to finance a successful campaign against kala-azar. This attitude towards preventive medicine encourages us to suggest that a more active policy should be adopted by all plantation managements in regard to anti-malarial work carried out under skilled advice and supervision. We are convinced that this would go far to eliminate one of the industry's greatest handicaps, and we hope that both local Governments and employers' associations will make it their close concern.

Water Supplies.

The provision of an adequate supply of good drinking water is a primary necessity and, generally speaking, reasonably satisfactory arrangements are in existence. At the same time instances are not wanting where the supply is of a suspicious character, particularly where water is obtained from surface tanks or ponds--even when these are properly fenced—and from surface wells, which are at all times liable to become polluted. Tube wells may not always be practicable, but the water from such wells is ordinarily free from surface pollution. As we also have evidence that in certain plantations these have given satisfactory results, we recommend their adoption wherever conditions are suitable. The prevalence of bowel diseases is an indication of the urgent need for the provision of pure drinking water, and expenditure on purification plants may be essential. This is realised by many employers, and on one estate we visited, the management had spent no less than Rs. 90,000 on a purification plant. Where supplies are drawn from hill streams, protection could probably be best afforded by conducting the water through pipes to the house lines. In such cases a piped water supply need not involve a heavy expenditure, and we recommend its provision wherever possible, because this ensures the minimum of pollution and incidentally saves the women a great deal of hard work.

Fortunately cholera cannot be said to be endemic in any of the plantation areas of India, although occasional outbreaks occur. Inoculation with anti-cholera vaccine, carried out, if possible, before the cholera season commences, has already proved of value, and a wider use of this method of immunisation would preclude the danger of serious outbreaks among the plantation populations.

Housing Construction.

Resident labour is housed rent free and, almost without exception, the housing is provided by the employers without assistance from the Government or other public or private agency. In a few gardens materials for building purposes are provided by the managements, the labourers in such cases erecting dwellings to suit their own requirements. Most of the houses are constructed of mud plaster with thatched roofs, and necessary repairs are carried out by the labourers themselves during the slack season, thatch being provided free. It has been the custom for employers to erect houses in long blocks of 8 to 12 rooms, but these should be suitably spaced out and should never be built back to back. The addition of suitable verandahs would also give some degree of privacy, a feature which is much appreciated, but has received too little consideration in the housing of labour in the past. A more recent type we have seen meets all requirements in regard to space, light and ventilation, the houses being built in blocks of two rooms. Small families are allotted one room, but where the numbers necessitate additional space, both rooms are given over to the one family. We commend this method of construction to managers proposing to erect new housing for their workers. In plantations occupying hilly land, as in South India, the lines of houses were previously constructed, without plinths or drains, on sites lying on the banks of the streams running through the estates. This was convenient for the supply of water but objectionable as regards malarial infection. In most cases the incidence of the disease can be effectively reduced by selecting high ground for house sites, and all new construction should be governed by this principle.

Minimum Requirements.

Even in the most recently constructed lines, plinths are seldom provided, floor and cubic space are often inadequate, whilst light and ventilation are too frequently entirely ignored. The house built by the worker himself is never provided with windows or ventilation openings, but that is no sufficient reason for their exclusion from houses built by employers. We were informed in Ceylon that the compulsory installation of windows had had a marked effect in lowering the incidence of pneumonia and other respiratory diseases, and that the workers are gradually learning to keep their windows open. The authorities we indicate later should lay down standard minimum requirements on all these points, and should have the power to condemn houses which cannot be made sanitary. Standard type plans to suit varying conditions should also be prepared and made available to garden managements.

These need not be confined to one-roomed dwellings. In labouring class houses of the kind required some form of 'ridge' roof ventilation should be more generally adopted. This adds little to the cost, and the ventilation openings are at such a height that they cannot easily be interfered with by the occupants.

Experiments and Improvements.

A few experiments have recently been made with iron-framed houses, the wall spaces between the frames being filled with bamboos and mud plaster, and the roofs made of corrugated iron or asbestos. This is more stable than the usual type of house and thus requires less expenditure on annual repairs, but the average labourer is probably right in preferring the thatched house, which is cooler in the hot weather and warmer in the cold season. He also considers it healthier, although there is nothing to prove that the corrugated iron or asbestos roofs have any deleterious effect on health. We think that the workers might be encouraged, under supervision, to build their own houses on approved sites, where a definite sanitary lay-out had been prepared and where proper plinths had been provided. Wherever possible, a number of lights should be provided in and around the housing areas. Electricity is now available on many plantations and a few standard lamps, while costing comparatively little, would add greatly to the amenities of life. Considerable improvements in the housing of labourers have been effected during the past few years, but more requires to be done, especially on the more backward plantations and generally in levelling up standards. We believe that these further advances will be more easily attained when the authorities we propose commence to function.

Bathing and Washing Places.

Few plantations have made any serious attempt to provide bathing and washing places for their labourers. The use of the ordinary surface tank or pond may lead to outbreaks of dysentery and other diseases; whilst bathing and washing in a stream, where the water lower down is in all probability used for drinking, may readily produce the same untoward results. Bathing and washing places of simple type are all that are necessary, and these should be constructed in the vicinity of the house lines. Public health departments should be prepared with type plans so that the planter may readily obtain information as to recognised standards on which to base his proposed expenditure.

Sanitation.

We have evidence to show that a large proportion of tea garden labourers are infected with hookworm, the percentage of infection being highest amongst those coming from wet districts, like Malabar, although the Assam Government memorandum definitely asserts that hookworm infection is generally contracted on the gardens. Under certain conditions infection may be rapidly followed by hookworm disease. A number of managers, on the recommendation of their medical officers, have carried out annual mass treatment of their labour forces, and we

recommend the general adoption of this method. With a resident labour force, no great difficulty need be anticipated. It is to be remembered, however, that even periodical mass treatment will not stamp out this infection, unless suitable latrine accommodation is provided simultaneously and the sanitary disposal of excreta effected. The provision and use of latrines ensures a much higher standard of sanitation, which is quickly reflected in a general improvement in the health of the whole community. In most plantation areas, however, latrines are uncommon, and although it may be impracticable to have these dotted over a plantation for the use of the working gangs, it should be possible to provide a sufficient number near the house lines and in the vicinity of the tea factory. In this connection we deprecate the wholesale exemption of the Assam and Bengal tea factories from compliance with section 13 of the Factories Act on the grounds that such factories are seasonal and built on open spaces where the workers have free access to the jungle. We advocate the early withdrawal of this exemption and recommend that adequate latrine accommodation be required in all such factories within a reasonable period to be specified by the local Government.

Attitude of Workers.

Whilst evidence given to us was by no means unanimous as to the possibility of inducing the labourers to use latrines, we have no reason to question the view expressed by several experienced plantation doctors that, if suitable types were made available and were maintained in a reasonably sanitary condition, the desirability of using them could be brought home to the labourers. This view is confirmed by the results obtained during the past three or four years in the Nilgiris and Wynaad areas, where a vigorous health propaganda campaign has been conducted by a health officer specially appointed for the purpose. During that period over 1,200 latrines have been constructed and are in general use, and the work has gone far to prove to the planter that expenditure on sanitation brings an adequate return and that the labourer appreciates and takes advantage of such efforts.

Medical Facilities.

In the absence of Government or other medical institutions, the provision of medical facilities for their labourers is accepted by most planters as an essential part of their expenditure. In many of the larger and more progressive concerns the medical arrangements are of a high standard. In some cases the unit of organisation consists of a group of 10 to 15 gardens under the control of a highly qualified medical officer responsible for the medical and health work of the whole group. Although in many instances the individual garden dispensaries are manned only by compounders, the chief medical officer ordinarily visits each garden once or twice a week, so that the health of the labourer receives fairly adequate attention. In the case of the smaller gardens, as might be expected, the medical arrangements are often unsatisfactory, both as regards staff and facilities for treatment. The compounder takes the

place of the medical officer, the dispensary contains a minimum of drugs, whilst the so-called hospital accommodation is uninviting. Indeed our inspections lead us to believe that in some cases it is in fact never used. In certain other gardens no medical provision of any kind is made.

Central Hospitals.

We believe that, given a certain amount of organisation, these disparities should disappear. It is more economical and more advantageous to the sick to concentrate treatment in a large hospital than to provide on individual gardens a series of smaller institutions. For a group of plantations there are great advantages in having a large centrally situated hospital of the type we saw in the Labac district of the Surma Valley, which serves a group of 18 gardens under different managements. This hospital has a nursing staff, separate wards for men, and for women and children, an infectious diseases block, an operating theatre and a central store for the issue of supplies to the outlying dispensaries. These dispensaries deal with all sick persons in the first place, but the organisation provides for the speedy transfer to the hospital of all serious cases. Attached to the hospital is a laboratory where all routine laboratory examinations are made under the guidance and control of the chief medical officer, whose residence is in close proximity to the hospital. There are many features in this scheme which we believe are capable of adoption elsewhere. Similar organisations have also proved successful in the Anamalais plantations.

Need of Co-ordination.

Where no central hospital exists, the medical officer of a group has to travel long distances in visiting serious cases of illness, and their treatment must frequently be a cause for anxiety in the absence of a trained nursing staff and suitable nursing facilities. In a central hospital both would be available. In every plantation area in India ample scope exists for a wide extension of this medical group organisation, and we believe that the improved facilities which are so necessary in the smaller and less developed plantations, and in areas like the Nilgiris, will only be obtained by co-ordinated effort of this kind. We propose later machinery by which this co-ordination should be secured.

Women Doctors.

Owing to the general reluctance of Indian women to consult a male doctor, the women on the plantations have made less use than the men of the available medical facilities and have so far failed to receive all the medical attention that is desirable. The employment of women doctors seems to us to be the most satisfactory method of correcting this deficiency, especially as the women and children constitute a large proportion of the population in these areas. If the medical group organisation we have suggested employed a woman doctor, her services would be of the greatest value in the management of all confinements in hospital and for the training and supervision of midwives and *dais* working in

the gardens of the group. In addition she would be responsible for the development of child welfare work, although to ensure success in this direction trained health visitors would also be necessary. We appreciate the difficulty of obtaining women doctors, but successful beginnings have been made elsewhere, and, if a sustained effort were made, we have no doubt that in time suitable applicants would become available.

Sick Benefits.

On certain plantations the worker, when ill in hospital, is given free food, and a gratuity is paid to a relation acting as sick attendant. We recommend that the practice of giving free food be adopted in all plantation hospitals. The gratuity might also be made generally applicable, except where a central hospital with a nursing staff makes other attendants unnecessary.

Maternity Benefit Schemes.

In many plantations it is already the practice to give maternity benefit to women workers. In some cases a lump sum is given to the mother after the child is born; in others an allowance is given for 4 to 8 weeks before and for 4 to 8 weeks after her confinement. In one plantation in the Dooars the manager issues the benefit in monthly instalments, and continues an allowance of Re. 1 per month for a period of 10 months, provided the child is brought by the mother to the plantation hospital for inspection by the medical officer. Representatives of the planters' organisations gave it as their opinion that legislation was unnecessary because the maternity allowances now given voluntarily were sufficient. This may be so in some plantations; but in certain cases allowances are considerably below the average and in some are non-existent. In order to secure the general adoption of a satisfactory scheme, some form of legislative compulsion is necessary. The one we advocate below is designed to secure a reasonable level of benefits together with assistance in the form in which it is most needed. We do not anticipate the reduction of existing allowances, even should the minimum provided by legislation be lower than that now given voluntarily, because most managers realise the value of such expenditure. We propose that the law should require the employer to give a cash benefit to the mother, which should ordinarily take the form of half her daily wage for a period of 4 weeks before and 4 weeks after childbirth. In addition a bonus of Rs. 5 should be given, except where the employer has provided the skilled services of a woman doctor and a trained midwife, in which case any woman refusing to avail herself of these skilled services should not be eligible for the bonus. We believe that this addition to the benefit would go far to overcome the prejudice in favour of the untrained *dai*. If a woman is in good health, she need not be precluded from working during the 4 weeks before child birth, provided her allowances are not reduced, but no woman should be allowed to resume work until 4 weeks after her child is born. In the case of plantation labour, the condition of a "qualifying period" of employment required in other industries could safely be dispensed with.

Welfare.

When it is remembered that, even in England, what is generally understood as "welfare work" is only of very recent growth, tribute must be paid to the time and thought which have been devoted by individual managers to the well-being and comfort of their labour forces. In order to indicate the lines on which welfare work has so far been evolved and the methods by which these might be extended and improved, it is worth mentioning a few of the activities brought to our notice. On a number of gardens two meals a day are supplied free to all children under 5 or 6 years of age. The free feeding of non-working children is a general practice on the plantations in Ceylon, where it has had a material effect on their health. We consider that this method of promoting health is a sound investment and should be generally adopted. On other gardens, mothers and their infants are supplied with blankets free of charge, and if difficulty arises in obtaining milk, free issues are also made by the estates. A group of gardens in Assam has adopted the sound practice of weighing all infants regularly and, in the case of children admitted to hospital, of recording their weights on admission and thereafter at regular intervals and at the date of vaccination. The general practice is to make special observation of the children during the annual health survey, when house-to-house examination of every resident is made, but a more frequent examination of the young children would bring to the early notice of the medical officer those who are not in a good state of health and would place him in a better position to plan preventive treatment. Finally in one garden in Assam, the manager tries to ensure a better standard of health in the children by adding 30% to the pay of those labourers who have three or more non-working children living on the plantation.

Recreation.

Although we were informed that the labourers took little interest in games and pastimes, a number of attempts have been made to provide both recreation and entertainment. In certain gardens football teams have been organised, whilst in others such entertainments as adult sports and tribal dances have been successfully arranged. We would urge the desirability of garden managers assisting in the organisation of such efforts, and advocate the setting apart of playing fields for general recreational purposes. In one group of gardens in the Surma Valley, the managers have engaged the services of a touring cinema company during the cold weather for the entertainment of their labourers. In another garden in Assam which we visited, the manager is a skilled cinema operator and the periodical cinema entertainments given by him are immensely appreciated by large audiences. The lantern slide and the cinema film are means both of education and amusement which might be much more widely used than at present in every plantation area, where the labourers are often more isolated than in their own villages. Initial difficulties might be experienced in obtaining material to suit the understanding of illiterate audiences, but once the demand was made

known, specialists in this class of material (who already exist) would doubtless make every effort to meet it, and in time circulating libraries of suitable slides and films could be built up.

Welfare Centres.

Many planters and their wives devote considerable time and energy to the welfare of the resident women and children, but the lack of women doctors, health visitors and trained midwives has made it difficult to organise forms of welfare work particularly applicable to these sections of the plantation communities. The experiment of employing a trained health visitor has been made successfully in one of the Assam gardens, and we consider that great scope exists for a wide extension of work of this kind. The work of a health visitor, if it is to give the best results, should always be supervised by the garden medical officer and, where a group medical organisation exists, the woman doctor with two or three health visitors should be able to organise welfare centres on each garden of the group. Each centre should be open at least one day a week and regular visits by the woman doctor give the health visitor opportunities of bringing to her early notice cases requiring medical attention. The welfare centres should be situated near the house lines, and in many cases accommodation could probably be found in a vacant room in the lines themselves. The necessary furniture and equipment need be neither elaborate nor expensive and, with small additions to the latter, the same building could if necessary be used as a creche. Experience goes to prove that the women workers quickly learn to appreciate the advantages to themselves and their children of attendance at such a centre. We believe that extension of this form of welfare work would prove of value to all concerned.

Orphans.

Normally in the case of young children who become orphaned and have no relations settled on the estate, arrangements are made by the manager for their adoption by other estate workers, the cost of their maintenance falling on the plantation. It is seldom that any steps are taken to communicate with the villages of their origin with a view to ascertaining whether near relations exist who might be desirous of claiming them. We recommend that in all such cases some suitable authority, such as the district magistrate, should invariably be approached to get into touch with any existing relations. Where a desire for the return of the child is expressed, arrangements should be made for repatriation.

Employment of Children.

We now come to the age at which it should be permissible for a child to be employed as a worker on a plantation. It is significant that the Central Government have seen fit to protect Indian children who emigrate to the plantations of Ceylon and Malaya by securing that the starting age for employment shall be 10 years. The practice throughout Indian plantations varies considerably. At least one association admitted

that, on the plantations of its members, "children aged 4 or 5 were all working children". Another association declared that it had no policy in the matter, and that individual members exercised their own discretion. As a result, where one manager admitted that children generally started work at 4, 5 or 6 years of age, and another that they started on light tasks "as soon as they could walk", yet others stated that their children did not become workers before 9, 10 or even 11 years of age. The normal practice seems to be to allow children to accompany their parents at any age, their earnings being added to those of their parents, although in some gardens the managers are accustomed to send home young children found at work with their parents. In many areas children are not normally entered separately in the wage books as employed persons until about 10 years of age. It was explained to us more than once that managers desired to keep their labour contented by interfering as little as possible with its customs, and that plantation workers, being agriculturalists, were accustomed to allow their children to start work at a very early age. Nevertheless progress has frequently to be made by gradual and tactful interference with customs which, under altered conditions of life and labour, no longer apply with the old force.

Exclusion of Young Children.

We believe that the unrestricted age limit for the employment of children on the plantations of India is a case in point. We consider it undesirable that children below the age of 10 years should be employed, nor do we believe that the work of such children is of material benefit to the gardens. Moreover this is the statutory age limit for Indian children employed on plantations in Ceylon and Malaya. We accordingly recommend the legal prohibition of the employment, either directly or with their parents, of children on plantations before the age of 10 years. We do not suggest any restriction of the hours of work of persons above that age, as we believe that common sense and individual physical capacity already apply the necessary brake in the vast majority of cases. Nor do we advocate any elaborate machinery, such as the certification by an independent authority of children of employable age. We recommend that, in the case of children not born on a plantation and therefore without registered birth certificates, the garden doctor should be required to determine the age before the child is allowed to start work, and that the names of all employed children should be entered in the wage book. The district health officer, when visiting the garden, should be required to satisfy himself that no working child is below the legal age.

Claims of Education.

The regulation of the labour of children has always been bound up with the question of their education. We feel that the case of the plantations presents certain characteristics which make it not unreasonable to look to the employer for a bigger contribution towards the education of the actual and potential child worker. Their labour has been recruited from a far field and frequently brought into an area populated by

an alien people Moreover the bulk of the plantations are situated far from any Government educational facilities. Nor does the provision of land for a school site or the cost of erection of a suitable building provide any of the initial difficulties in respect of scarcity of floor space and high costs of construction which often characterise the problem in a big city. The Central Government have been able to insist on the provision for the children of the Indian worker who emigrates to the plantations of Malaya and Ceylon of suitable educational facilities up to the legal minimum age of employment, *i.e.*, 10 years, and experience has shown that, in the comparatively brief time these requirements have been in operation, the response of the parents, though in the first instance modest as was to be expected, is very gradually improving and a slowly increasing percentage of children of school age are reported year by year as benefiting from the facilities provided. Although compulsion can be exercised both on employees and parents, there has been throughout a sympathetic administration, which has shown a true understanding by Government of the difficulties to be encountered and of the fact that the initial progress must necessarily be slow if the foundations are to be securely laid. The evidence given before us in India convinces us that the spirit of goodwill on both sides and the readiness to co-operate are there, if only the impetus to make the start can be given, and thus obviate the difficulty created by the present tendency of both local Governments and the industry each to look to the other to make the first move.

Co-operation between Government and Planters.

We therefore recommend that the local Governments concerned should convene a representative conference of both parties at an early date with a view to surveying the ground and deciding the particular contribution of each to the desired end. There is the example in Ceylon of a scheme whereby the estates make themselves responsible for the building, maintenance and equipment of suitable schools, whenever there are resident on the estates 25 or more children between the ages of 6 and 10 years, the Government contributing the salary of the teacher and general supervision of the curriculum and organisation. We are aware that in Assam and the Dooars the supply of teachers and the decision as to the vernacular to be taught present problems which give rise to practical difficulties ; but we believe that, with the inauguration of a general scheme of this kind throughout the industry, these difficulties will be found capable of gradual elimination. Co-operation between the industry and the local Governments could be further extended by agreement from the very outset on a curriculum suited to the type of worker to be found on the plantations. We do not suggest that the normal syllabus, which in some cases is possibly too urbanised for the type of pupil concerned, should necessarily be introduced, but rather one having a definite agricultural bias likely to instil into the pupil a greater keenness and aptitude for the work that lies before him. The three R's and elementary hygiene should form the basis of the syllabus.

Official Supervision of Health and Welfare.

As regards the nature and extent of official supervision of the health and welfare of plantation labour, wide variations exist between the various provinces. In Assam the Director of Public Health has apparently little or no contact with the plantations, as he neither is an official inspector of factories, nor has the right to inspect plantations, although he informed us that he had paid a number of visits at the invitation of individual managers. This lack of co-operation and co-ordination between the Government and the medical organisations on the plantations may be due to the fact that, until recent years, no separate Public Health Department existed in Assam, official supervision of the health conditions of plantations being carried out by the Medical Department through the district Civil Surgeons. The latter are still official inspectors and all health statistical returns from plantations are sent through them to the Deputy Commissioner and eventually reach the Director of Public Health for inclusion in his annual reports. We recommend that the Director, his assistants and the district health officers should be *ex-officio* inspectors of plantations, with power of entry at all times and with the right to inspect health registers and to report and advise on all health questions.

In the Dooars the Director of Public Health of Bengal and his assistants have the right of inspection. Owing, however, to the incomplete organisation of the Public Health Department as regards district health officers, the Civil Surgeon of Jalpaiguri still remains the *ex-officio* inspector, although his multifarious duties at headquarters prevent him from making frequent visits to the plantations. The arrangement, as in Assam, is unsatisfactory.

In the Madras Presidency the Public Health Department is at a more advanced stage; the Director of Public Health and his assistants are *ex-officio* inspectors, and every district has its health officer empowered to inspect the plantations in his district. In addition a special officer, known as the Planters' Districts Health Officer, has been engaged during the past 4 years to advise on health work on plantations, as it was found that the regular officers' manifold duties precluded them from giving sufficient attention to the plantations. The salary and expenses of this health officer are borne by Government, but all expenditure incurred as a result of his recommendations is borne by the plantations. In Madras, also, the monthly health reports and statistical returns are sent to the district health officer, who is thus kept informed of the health conditions of his district. As soon as a complete health service comes into being in Assam and Bengal, a similar procedure should be adopted, and the inspecting powers of Civil Surgeons transferred to the officers of the Health Department. The Indian Tea Association representatives expressed themselves in favour of an extension to all plantations of the activities of the Government Public Health Department and of a closer relationship between that department and the plantations medical staffs.

Boards of Health and Welfare.

Most of what has been said in the preceding paragraphs is already accepted by the majority of those engaged in the planting industry, and some have given much time and thought to the problems associated with the health and welfare of their labour forces. Individual schemes brought to our notice have clearly demonstrated the existence of a desire to find solutions to these problems ; but so long as reform is left to the enterprise of individuals who have no guarantee that neighbours and rivals will accept similar standards, a large advance is unlikely. We believe that it is mainly the lack of this co-ordination that prevents advance. What is required in order to obtain closer relationship with the Government Public Health Department and to ensure general progress is an organisation which is assured of the co-operation of the industry and has adequate powers to secure simultaneous improvement. With these ends in view, we recommend the establishment under statute of Boards of Health and Welfare for convenient areas. Each Board should have a majority of planter representatives who should be elected by their associations, but care should be taken to ensure that minorities, *e.g.*, unorganised employers, receive adequate representation. In addition the Board should include a Collector or Deputy Commissioner from the districts covered, the Director of Public Health (or one of his assistants as deputy), the district health officer, and persons nominated by the local Government, with a view to provide adequate representation of the workers. It is desirable that the Board should include at least one woman member. In Assam the Protector of Immigrants should have the right to attend the meetings of the Boards but should have no vote. Each Board should elect its own chairman. Each elected member might be permitted to nominate a medical adviser or substitute, who would be able to attend and take part in meetings, whilst voting only in the absence of the member nominating him. The size of the Board must depend on local circumstances, but should be as small as is consistent with securing adequate representation of the plantations. All these matters, however, would be regulated by the statutes constituting the Boards.

Principle of the Scheme.

The important principle underlying our scheme for such Boards is that, in the first instance, the industry itself should be entrusted with responsibility. We believe that, in respect of plantations, the sense of responsibility, combined with the powerful force of enlightened self-interest, re-inforced by the knowledge of local conditions and problems which only those in control can bring, should produce a much more rapid advance in measures for the health of the workers than would be achieved by State compulsion. We recognise that the State cannot divest itself of the duty of ensuring that certain minimum health requirements are secured, and proposals follow for giving the Government adequate powers in this respect. But we hope and believe that the work of the Boards will not render the exercise of these powers necessary

save on rare occasions, and that they will carry the campaign for the uplift of the health of the workers far beyond the minimum requirements which the State has a right to demand.

Previous Experience.

Boards of Health for industrial areas are no new conception. For years past similar bodies have been at work in the mining districts of Jharia and Asansol, and we have reason to believe that planters generally would welcome a controlling Board responsible for bringing the backward plantations up to the level of the more progressive, and for helping and advising individual managers in raising general health standards. It is interesting to note that in 1925 the Minister for Public Health introduced a measure in the Bengal Legislative Council for the control and sanitation of plantation areas in Bengal by means of a Tea Gardens Board of Health. The Bill did not pass into law, but it included many of the features we have in mind. The only other body which has taken any action regarding the formation of a controlling Board for plantations is the Anamalais Planters' Association. This area is a *taluk* of the Coimbatore District and, for some years past, the Planters' Association has made several attempts to obtain the sanction of Government for separation from Coimbatore and for the formation of a new organisation, complete in itself, which would exercise the functions of a local Board for the whole area.

Suitable Areas.

The area to be allotted to each Board must depend on local considerations and we do not desire to suggest definite limits. It is necessary, on the one hand, to avoid giving a Board an unmanageably large area and, on the other hand, to make it possible for a Board to provide an adequate staff without excessive cost. We imagine that in Assam one Board could suitably be constituted for the Surma Valley and two for the Assam Valley, one of which, with its centre at Jorhat, might have charge of the lower part of the valley and the other the north-eastern districts. In the Dooars there might be a single Board, but we doubt if that Board will be able to cater for the other planting areas of the Bengal Presidency. In South India we think that separate Boards would be required for Coorg and the Anamalais; but, whilst it may be possible to combine the Nilgiris and the Wynaad areas under one Board, we see disadvantages in such combination and suggest consultation between the Madras Government and planters' associations on this point.

Inclusion of other Areas.

One difficulty which arises in some districts is the existence of other areas adjoining and interspersed with plantations. For complete public control of malaria and epidemic disease generally, it is undesirable to confine the health administration to the plantations themselves, whilst excluding the areas adjoining them. Infectious and contagious diseases do not respect boundary lines and fences. It was presumably

for this reason that the Bengal bill to which we have referred proposed to include *zamindari* areas within the jurisdiction of the Board of Health. Whilst recognising these difficulties and dangers, we consider that, for the present, it is preferable to limit a Board's control to plantations, although it would always be open to the Board to report to the local Government any action necessary to bring conditions in neighbouring areas up to a reasonable standard. The inclusion of other areas would involve both their taxation and their representation on the Board and would introduce problems different from those presented by plantations. For these reasons we consider that Government should remain directly responsible for public health in such areas; the presence on the Board of Government health officials will go far to secure what is reasonably possible in areas whose health is a matter of interest or concern to neighbouring plantations.

Finance.

Each Board should be financed by means of an annual cess levied on all plantations within its area. A minimum amount should be laid down in the statute constituting the Board, and this should be fixed high enough to ensure that the Board will have a surplus income sufficiently large to permit of active advance being made in the improvement of health conditions, after providing for all essential activities including the payment of an adequate staff. We estimate that the approximate cost of the staff and establishment, inclusive of salaries, rents and allowances, would amount to about Rs. 70,000 in the case of the larger Boards, although for the smaller Boards smaller amounts would suffice. The Board should have authority, subject to this minimum and to an agreed maximum, to fix a rate of cess for each year recoverable as a public demand. In Ceylon the Medical Wants Ordinance for the plantation districts has been financed by an export cess of 15 cents per 100 lbs. of tea, 15 cents per 100 lbs. of cocoa and 75 cents per 100 lbs. of rubber. We do not suggest that this method is suitable for India and we put forward two alternatives for consideration. In one the cess would be based on planted acreage and in the other on resident population. We recommend that a final decision in this matter be taken after consultation between the local Governments and the industry, but whichever method is adopted, the cess should be so fixed as to give each Board the surplus income which is so necessary. As it is important that the formation of Boards should not discourage private enterprise, where this is directed along proper channels, we advocate the adoption of the system in force in Ceylon, where rebates of the cess are made to estates according to a system of marks awarded by the medical inspecting authorities for housing, medical facilities, anti-malaria work and other amenities of which they approve. It should be laid down, however, that in no case will the rebate exceed two-thirds of the amount of cess collected.

We are not unmindful of the difficulties of the present position in the matter of finance, and the proposals made in this chapter should be read subject to what is said in the opening paragraph of Chapter XIV. We would add that we understand that there is an accumulated balance

of close on 4 lakhs of rupees at the credit of the Assam Labour Board, whose abolition we have recommended. If our recommendations are accepted, we consider that the residue, after meeting all proper expenses involved in winding up the affairs of the Board, could equitably be transferred to the Boards of Health and Welfare in Assam. The money in question has been collected by statute from the industry and it would thus go to diminish charges which the industry would be called upon to meet under another statute. We recommend the examination of this possibility by Government in consultation with the industry.

Staff and Procedure.

The chief executive officer of the Board should be a whole-time experienced medical officer with public health qualifications. He would have under his direct control the necessary staff of sanitary inspectors, vaccinators, etc., and would be generally responsible to the Board for the smooth running of all its activities. In addition he would be responsible for the administration of any central hospitals maintained by the Board. The question of malaria control is so closely connected with health on the plantations that we consider each Board should also employ at least one malariologist who would work under the chief medical officer's supervision. The Boards should meet at regular intervals and, in some cases, it might be advantageous for these meetings to take place at different places chosen to enable the members to see what is being done in various plantations and to judge of the progress of their own schemes. The Board should receive full accounts of the work done since its last meeting and consider proposals for future work. On these it would give decisions and sanction expenditure. It would consider cases of default against its rules and orders and sanction prosecutions where necessary.

Administration of Maternity Benefit Schemes.

In respect of maternity benefit legislation, each Board should be the administrative authority for the area under its control. It should also be given power to approve existing schemes which, while not in strict conformity with the law in respect of cash benefits, nevertheless in both cash and kind gave benefits on a scale on the average not less advantageous to the women concerned. The Board could also prescribe the number of trained midwives required in proportion to the numbers of women employed and assist with the training of *dais* and midwives.

Government Control over Regulations.

We now come to the relations of the Boards with Government and the control which the latter should exercise over them. It will be recognised that the prescription by the State of a minimum rate of cess and the presence of officers responsible to the Minister of Health on the Boards provide in themselves a measure of security against any failure on the part of the Boards to fulfil their duties. But we propose further safeguards. The Act constituting the Boards and prescribing their procedure should detail, as far as possible, their duties and

the matters in respect of which they were empowered to issue regulations. We have endeavoured to outline these in the preceding paragraphs. Certain of them are of such essential importance that the provincial Government should be armed with sufficient power to ensure that the Boards prescribe adequate standards. Within this category we would place—

(*a*) the provision of drinking water;

(*b*) the provision of conservancy, sanitation and drainage;

(*c*) the provision of medical facilities; and

(*d*) the prescribing of minimum standards of new housing accommodation.

We contemplate that, in respect of these matters, the draft regulations of a Board would be submitted to the provincial Government in the Ministry of Public Health, which should have the option of approving them or referring them back with suggestions for modifications. On the re-submission of the regulations, Government should be able either to approve them or to modify them in such manner as it thinks fit. In the event of the failure of the Board to make any appropriate regulations, Government, after giving the Board due warning, could issue the necessary regulations. In respect of other matters also, the power to issue regulations should, we think, be subject to the approval of the provincial Government; and in this case up to a point the procedure should be similar, *i.e.*, Government would have the power to refer the draft regulations back to the Board with suggestions for their amendment. But, if the Board were not prepared to accept these suggestions, Government should not have the power to modify or supersede their regulations, but merely to approve or to reject them in their final form. In respect of matters of this kind, we contemplate that the scrutiny of Government would be directed first to ensuring that the Board was not exceeding its powers and secondly towards assisting it by constructive suggestions for its consideration.

Other Powers of Government.

Government should also have the power, through its inspectors, of instituting prosecutions of persons defaulting against any of the regulations, whether issued by the Board or by Government. Where an inspector considered a prosecution desirable, he would submit the proposal in the first instance to the Board and not to Government, and the power of Government should only be invoked after the Board had refused to prosecute and where it was clear that there were no sufficient grounds for such refusal. These reserve powers will enable Government, where necessary, to intervene without resort to the ultimate power (which it should also possess) of superseding a Board altogether. The aim of Government should be to assist and encourage the Boards in every way possible, and to limit the use of its reserve powers to cases where a Board had definitely failed. We think that in practice Government will not find it necessary to interfere, but the powers we have suggested should be sufficient to ensure that unduly lax standards are not adopted by particular

Boards. Government should also possess some financial control. For example, all loans should require the previous sanction of Government, and its approval should also be obtained for any scheme for which a loan is required. Some more general control will probably be advisable to ensure that long term commitments are not undertaken without expert financial scrutiny. The accounts of the Board should also be subject to official audit.

Official Inspectorate.

While the Boards may be expected to effect progressive advance in all health matters, the local Government in its Public Health Department must have the right of inspecting plantations at all times. This inspection is required to ensure the enforcement of those matters which are definitely the function of Government, *e.g.*, the collection of vital statistics and the exclusion from work of under-age children. The inspectors would be responsible for keeping Government informed regarding the standards of administration and should also assist the Board's officers in securing observance of its regulations and orders. We consider that an official plantation inspectorate should not work exclusively on plantations, but should rather be appointed to compact geographical areas. In other words, they should be merged in the ordinary rural public health staff. Their work on plantations is likely to be of greater value, if they are also in charge of public health in adjoining areas, whose conditions may materially affect the health of the plantations. We accordingly recommend that the district health officers, who will be *ex-officio* members of the Boards, should act as Government inspectors of plantations, making such suggestions to the Director of Public Health as they consider advisable and dealing with breaches of the public health laws and regulations on estates. As in the Madras Presidency, it may be found necessary to appoint additional officers of the grade of district health officers to enable effective inspection to be carried out, but these are matters which should be left to the decision of local Governments themselves.

CHAPTER XXIII.—BURMA AND INDIA.

We completed our tour of the Indian provinces by March 1930, but were unable to visit Burma during that season. While in London, we contemplated the possibility of submitting a proposal that Burma should be excluded from our terms of reference. The field to be covered in India proper was very wide, and it seemed probable that the extension of our survey to a country differing from India in many respects would give little assistance on the questions which we were already examining, while it might raise a large number of new problems and add seriously to the difficulty of finishing our task in a reasonable time. In addition, some of our number were requested to participate in the Indian Round Table Conference and were unable to leave England till 1931. But serious trouble connected with the employment of labour in Rangoon broke out in May 1930; there were clearly questions calling for examination, and it was suggested to us that it would be useful if we visited Rangoon. We therefore arranged to complete the programme originally contemplated, and the majority of us spent three weeks in Burma in October and November 1930.

Industrial Differences.

The wide general differences between Burma and India have been stressed on many occasions, and we do not need to dwell upon them here. Separated from India by a sea journey of two or three days, its people present in race, religion, customs and outlook a great contrast to those of India. For our purpose, it is the differences in the economic sphere that are chiefly important. Though not in general so wide or fundamental as those which exist in other fields, they are by no means negligible. There are important differences in respect of the distribution of industries. In India, the bulk of the factory population is employed in factories working throughout the year, and the textile factories, with nearly 700,000 operatives, form much the most important group. In Burma, textile factories using power are represented by three factories employing less than 700 operatives in all. The most important factory industry in Burma is rice milling, which is seasonal, followed by saw-milling and the refining of petroleum, which in India employ few persons. These three factory industries account for two-thirds of the 100,000 persons employed in factories in Burma. Turning to the extraction of minerals, in India coal, mica and manganese mines account for four-fifths of the workers in registered mines; these industries are non-existent in Burma. On the other hand, tin, wolfram, lead and silver mines, which do not exist in India, employ the majority of Burma's mining population of about 20,000. More important than these is the production of mineral oil, an industry which is on a very small scale in India. In respect of transport, a feature in Burma is the part played by inland water transport. In India, plantations, and especially tea plantations, are of great importance; in Burma the main plantation industry is rubber, and the numbers employed are not large.

General and Special Questions.

These contrasts, great as they are, do not justify separate treatment of India and Burma in respect of the great majority of labour questions. The evidence presented to us in Burma satisfied us that the general principles applicable to India lost none of their force when applied there, and throughout the greater part of our report, we have found no difficulty in treating the two countries together. Our general recommendations, therefore, as opposed to those directed to special areas and local problems, are intended for both countries. In respect of legislation in particular, the uniformity which has hitherto been maintained has been, in our view, justified by the facts and needs of both, and we see no reason for the adoption of essentially different standards now. There are, however, certain problems which arise in Burma not so much out of the nature of its economic resources as out of its relations with India in the field of labour. These are not discussed in the preceding chapters and must now receive attention. The questions are those connected with the employment in Burma of immigrant Indian labour. We desire to make it clear at the outset that we have not ignored the needs of Burmese labour. This labour stands in no essentially different position in Burma from that of Indian labour in India, and the recommendations made in other parts of this report are designed to meet the needs of both. On the other hand, Indian labour in Burma has peculiar difficulties, and it is with these that we are primarily concerned in this chapter.

Employment of Indian Labour.

The industries of Burma are largely dependent on Indian labour. Accurate and up-to-date figures are not available for industry generally but it is safe to say that at least two-thirds of the workers employed in factories, mines and oilfields, railways and plantations are Indians. In nearly every branch of organised industry Indians greatly outnumber Burmans and, indeed, all other races combined. In the unskilled occupations, the proportion of Indians is particularly high. For various reasons the problems of the immigrant Indian find their focus in Rangoon, the only industrial city in Burma, and we deal mainly with conditions in that city. At the 1921 census Indians constituted over 55% of the total population of Rangoon and over 65% of the male population. About 70% of the male persons between 15 and 50 years of age were Hindus and Musalmans, and of these 95% were not born in Burma. In Rangoon factories 95% of the unskilled and 70% of the skilled labour were reported to be Indian in 1928, and the position does not appear to have changed since then. Until 1930 the Port of Rangoon was worked entirely by Indian labour, and although events in that year brought about some modification of that position, it is still true in the main. India also supplies the bulk of the tramway workers and of the *sampanwallas*, all the rickshaw pullers and handcart pullers, and nearly all the general labour of other kinds. In fact the economic life of Rangoon and the industrial activity of Burma generally are dependent on the labour of Indians.

Immigrant Labour.

Nearly all this labour consists of immigrants and, to a large extent, of immigrants who stay only for a short term. Separate figures for industrial labour are not available, but taking four of the five Indian races which supply nearly all the labour, the numbers of men in Burma who were born in and outside Burma at the 1921 census were as follows :—

Race.	Born in Burma.	Born outside Burma.	Total.	Percentage born outside Burma.
Telugus	10,384	100,196	110,580	91
Tamils	22,536	59,011	81,547	72
Hindustanis	12,820	68,580	81,400	84
Uriyas	1,076	31,826	32,902	97

Telugus and Uriyas, who show the highest percentage from outside Burma, contain a larger proportion of industrial workers than the others. In the case of the fifth race, the Chittagonians, a large number were born and have settled in Burma, but they are not mainly engaged in organised industry. The extent to which Indian labour is migratory is equally well illustrated by the fact that, although in the decade 1911-21 the Indian immigrants numbered well over two million, the increase in the Indian population in Burma was only 142,000, *i.e.*, from 745,000 to 887,000. From 1922 to 1929 on an average nearly 320,000 Indian immigrants per year entered Rangoon, the port of entry for four-fifths of these immigrants, including nearly all the industrial workers. The annual average of the number of Indian emigrants leaving that port in the same period was about 260,000. Among the immigrants there were more than 12 men for every woman. We believe that, if separate figures were available for the industrial workers, they would show an even greater sex disparity.

Recruiting of Immigrants.

Of the Indian immigrants to Rangoon about one-third come from Calcutta and one-third from the Coromandel ports, the Hindustanis coming from the former and the Telugus from the latter; Uriyas are said to come from both. The remaining important classes of immigrants are the Tamils from Madras and the Chittagonians from Chittagong. The immigration is entirely uncontrolled, but it is not entirely unassisted. Employment in the rice mills is secured on a system with which we deal in more detail later, and which involves the grant of practically all responsibility for labour to *maistries* or contractors. We quote the following from Mr J. J. Bennison's *Report of an Enquiry into the Standard and Cost of Living of the Working Classes in Rangoon* :—

"Most of the paddy carriers are recruited in India. The *sub-maistries* either themselves go to India or send their agents there about October to negotiate with prospective recruits. These recruits are generally well-known to the *sub-maistries* and are

often residents of the same or a neighbouring village. Advances are paid to them, about Rs. 25 being the usual amount, but as much as Rs. 100 may be paid if the recruit has a little property. With this advance the recruit may pay off any small debt outstanding; he also leaves a certain amount with his family to cover their maintenance charges for some weeks. The recruits are then brought to Rangoon by the *sub-maistries* or their agents, who bear all the expenses for the journey. On arrival in the mill the recruits are usually made to sign their names or give their thumb impressions on a printed form of agreement or on a piece of blank paper. The amount is afterwards entered by the *maistries*. Sometimes they are made to sign promissory notes for sums never less than the total amount spent on them."

As regards the means by which the rest of the immigrants are enabled to come, the evidence is far from clear. At least one of the shipping companies maintains recruiters in the Coromandel Districts "to recruit and assist deck passengers"; but this is essentially an advertising campaign, and not the equivalent of recruitment. The great majority of immigrants receive no direct assistance from employers in Burma. Probably a large number are financed by relations already in Burma or by borrowing in India. Many who have been in Burma are no doubt able to meet the cost of the return journey from savings, and there are, especially outside Rangoon, a number of Indian workers who take holidays to India at intervals. But there are no figures to show what proportion of the immigrant labour represents workers returning to Burma.

Protector of Immigrants.

The immigration and emigration between India and Burma is entirely uncontrolled. The Labour Statistics Officer holds, among other appointments, that of Protector of Immigrants and Emigrants. The Government of India, with whom the appointment lies, defray a small portion of his total pay and also provide an Assistant Protector, who is an officer from India. The protection which either of these officers affords to immigrants is slight, and indeed they appear to have little or no authority in the matter. The Protector informed us that he had no statutory powers, except with regard to issuing certificates for skilled emigrants*, and that he had no responsibility for an emigrant once he had left the jetty and no concern with recruitment in India. The appointment apparently arose out of a temporary situation connected with the overcrowding of deck passengers; but, even if there was overcrowding, the Protector apparently could only report the matter to the Port Officer. The Assistant Protector is present at the arrival of ships bringing emigrants, but we doubt if the majority of those arriving are aware of his existence. Apparently no one is responsible for the welfare or protection of immigrants after they have actually landed. Many immigrants no doubt need protection, and the Protector should be placed in a position to give them effective assistance. For this purpose we recommend that the Protector should be an officer who, working in co-operation with the Government of Burma but holding no appointment under that Government, should be solely responsible to the Government of India. The appointment might be a whole-time one, in which case it would be unnecessary to retain the post of Assistant Protector. He

* We understand that this refers to the emigration of skilled workers from Burma to foreign countries.

should be given statutory power to enter industrial establishments where Indian labour is employed. If a suitable officer is selected, he should be able to secure a large measure of co-operation from employers and assist them in dealing with the needs of the workers. A working knowledge of some Indian languages, and particularly Telugu, is an important qualification. We may remark in passing that the language difficulty is one of the factors responsible for the extent to which authority is delegated to intermediaries. What is said in another chapter regarding this difficulty is especially applicable in Burma. We recommend that the Protector of Immigrants should have access to the Member or Minister responsible for labour, and that he should furnish the Government of India with an annual report on the conditions of labour during the year and on his own work. He should have sufficient experience and standing to ensure that his advice will deserve and receive full consideration from authorities and employers in Burma. After a little experience such an officer should be able to do much to further the welfare of Indian labour. Work done along this line, so far from proving a handicap to industry, should be beneficial. The separation of Burma from India would increase rather than diminish the utility of an appointment of this kind.

Streams of Industrial Migration.

It is not possible to say what proportion of the migration represents industrial labour. The deck passengers include a large number who do not come to Burma for labour of any kind, and there are many who are looking for agricultural employment. The cutting of the paddy crop, in lower Burma especially, absorbs large gangs of Indian labourers; but some of these look for employment in mills after the harvesting is over, and many others drift to Rangoon and swell the mass of casual labourers there. Even on the question of the average stay of the Indian labourer in Burma there is little reliable information. It seems to be generally agreed that few of the immigrants return to India in the first twelve months; the returning emigrants who were engaged in industry are persons who had entered Burma two or more years previously. On arrival at Rangoon, the various Indian races tend to move to separate branches of work. The Telugus, there known as *Coringhis*, furnish most of the Indian labour in factories and mills and in the port and are the most prominent section in the work of the city. Few of them are to be found in the upper ranks of labour. The Chittagonians man the inland steamer traffic, the small craft and the *sampans*, and hold a number of the better and more permanent jobs in the mills. The Uriyas look for construction work on railways and roads and are to be found in substantial numbers on the oilfields and at the lead mines; some are to be found in factories and in the docks, and they also find employment on the tramways. The Tamils and Hindustanis are less prominent in industry than the other races, but there are sections of them in various branches of employment, including some of the factories. Other races represented are Bengalis, particularly in the railway service, and Punjabis in other forms of transport and as mechanics.

Employment through Intermediaries.

The indirect employment of unskilled labour is a feature of industry in Burma, and especially in Rangoon. The great bulk of the Indian labour is not engaged and often is not paid by the principal employer; he employs a *maistry* or a contractor and the labour is generally engaged by *sub-maistries* or sub-contractors. There are one or two striking exceptions, such as, for example, the Burmah Oil Company. But broadly speaking, there is no part of India where responsibility for labour is delegated to the extent prevailing in Burma. The extreme case is that of the leading factory industry, rice milling. Here the head *maistry* who, on getting the contract, deposits a substantial sum of money, is responsible for the supply of unskilled labour. He may sub-let the contract, but whether he does or not, most of the labour owes its engagement to men who have no contractual relations with the employer. They hold the labour with the assistance of different types of monetary agreements, and the labourers are generally in debt to them. Mr Bennison, in the report to which we have referred, states that :—

> "Practically all the paddy carriers and the bagging and stitching coolies are indebted to their *sub-maistries*....The paddy carriers recruited in India always arrive in this country indebted to the *sub-maistries* and usually remain so for the rest of their lives. Whenever they want to return to India, the *sub-maistry* allows them only on condition that they come back when required."

Direct Payment of Wages.

As has been noted elsewhere, the employment of labour through intermediaries tends generally to diminish the prospect of that labour securing reasonable conditions. This is especially applicable to the immigrant labour employed in Burma. Labour conditions for Indian immigrants are unlikely to be satisfactory until the employers assume a much greater measure of responsibility. The first and most obvious measure of responsibility is in respect of the payment of wages. So long as the worker is dependent for the reward of his labour on a subordinate agent of an employer, to whom he may be indebted and without whom he can neither obtain nor retain employment, there is little security against abuse. The first aim, therefore, should be the introduction of a system of direct payment of wages. In many cases employers, by assuming responsibility for the payment of wages and by controlling rates, could secure higher earnings for labour without additional cost. We recommend that Government approach the employers with a view to securing reform without legislation, and that, if this fails, the question of legislation for direct payment in certain sections of industry be taken up. The difficulty here is likely to be one of enforcement, but even the compulsory maintenance of wage registers and insistence on payment by an approved agent of the employer would be of considerable value. It is relevant to observe that the protection of workers against unfair deductions from wages will be difficult to enforce in some Burmese industries unless some action is taken to secure more direct payment.

Unemployment and Under-employment.

The difficulties of the immigrant labourers are greatly increased by the scarcity of regular employment. To a considerable extent this is due to the seasonal character of much of the industrial work. Rice-milling is active from December to June and has very little work to offer after August. Only a small proportion of the labour is permanently retained. The demand for labour in the port is also substantially greater between December and June than in the other six months. During the monsoon, activity in a number of other branches of industry ceases or is diminished. Industrial labour can, to some extent, turn to agriculture in certain seasons, but the periods of keen demand in the two cases apparently overlap. There is, indeed, reason to believe that the industrial worker is suffering in the present depression from increased competition from workers who were formerly able to subsist throughout the year on agricultural earnings ; but our evidence as to the inter-relations of agricultural labour and industrial labour is scanty. Some relief is afforded by movement to and from India. The immigrant traffic is heaviest in November and December and the emigrant traffic in April, May and June, so that the supply is highest at the beginning of the year, when the demand is higher and least in the monsoon, when demand is lower. But the adjustment which these movements make is inadequate to counterbalance the effect of the seasonal demand, coupled with the movement into Rangoon of labour from other parts of Burma. Rangoon is a pool for the unemployed Indian labour of Burma. The Rangoon factory worker, who finds himself out of a job in the slack season, has thus to compete with Indians from elsewhere for such casual employment as is available. In Rangoon in 1928 there were said to be 7,000 Telugu rickshaw pullers, and 8,000 handcart pullers, who were mainly Telugus. A number of these appear to be persons who obtain employment in other lines when work is brisk and get what they can by pulling when no other work is available. Mr Bennison writes " In the majority of the occupations open to the immigrant a regular income is not assured and there is, therefore, very keen competition for jobs in establishments in which wages are paid regularly. *Maistries* in these establishments often have to pay heavy premiums for securing their positions, and they, in turn, extort premiums and monthly contributions from the coolies under them ". We believe that the *maistry* system tends to encourage more men to stay in Rangoon when work is not available than would otherwise remain there.

Assisted Immigration for Rice Mills.

Reference has been made to the fact that recruiting for rice mills is conducted in India. There is also said to be some recruitment in India for earthwork, but it is clear that the bulk of the assisted immigrants represents contract labour for the rice milling industry. We received from a witness with experience of Indian labour in Rangoon a proposal for a new system of recruitment for this labour. This started with the observation that all the requirements of rice mills could be met by local

recruitment. It involved the institution of a recruiting bureau to be managed by the three large firms which control the bulk of the rice mill labour in Rangoon. The basis of the proposal was that the miller should deal directly with the gang *maistry* and should engage him through the bureau. It was suggested that the payment of advances was unnecessary. In response to our invitation, the three firms in question furnished us with their views on this scheme. Briefly, they contest the view that the labour required by the rice mills could be met by local recruitment and stated that it did not appear possible to obtain sufficient labour without giving advances. Their general conclusion may be summed up in the words "On the whole, the system works well and it is difficult to see how it can be improved". They regard the idea of a labour bureau started by the firms as quite impracticable. Such evidence as we were able to secure does not warrant any definite conclusions regarding the most suitable method of recruitment, but we are quite clear that, however well the present system may appear to work from the point of view of the employer, it is unsatisfactory from the point of view of labour. If the proposals made elsewhere become operative and advances for recruiting purposes are made irrecoverable, one objection to the system will be substantially minimised, but others will remain. The labour is specially brought over for a season, which may be less than six months and is seldom more than eight. Even during this season, employment may not be continuous. But there is no assurance that other work will be available, nor is any allowance regularly paid when work cannot be provided, nor is repatriation guaranteed. The result is that, after the season is over, labour may be sent to swell the numbers competing for other employment. We consider it unreasonable that labour should be assisted to emigrate by any industry in such circumstances. If, therefore, this or any other industry finds it necessary to recruit in India, it must be prepared to repatriate the recruited worker as soon as it ceases to pay him his normal wages and so to secure that the workers it brings are not left in a foreign country without the means of subsistence after a short period. We return later to the question of the control over emigration, with which this is bound up.

Competition from Burmans.

In addition to the difficulties arising from indirect employment and fluctuations in demand, a third factor is assuming increasing significance. This is the tendency for the Burmans to claim work which has hitherto been carried on by Indians. The Burman has little liking for monotonous unskilled work, and, until recently, he has had more attractive alternatives. For many years after the annexation of Upper Burma, there was little difficulty in securing fresh land for cultivation at a low cost, and the land offered a more pleasant and prosperous life than employment in the towns. The large expansion of agriculture led to an expansion of industry, and both were made possible by an increasing supply of Indian labour. The Burman was able to maintain a much higher standard of living than is general in any Indian province, while the harder and more monotonous work was left to Indians, who, if they did not

attain the same standard, got much better pay than they could find in India. Increasing economic pressure, which, at the present time, is accentuated in Burma as elsewhere, is making itself felt, and the Burman is anxious to compete in fields hitherto left to the Indian. This is, in part, the explanation of the tragic events in Rangoon in May 1930. On 6th May the Telugu dock labourers struck for an increased wage. Six years previously on the occurrence of a strike, the employers had resorted to Burmese labour, which made no effort to retain the employment when the strike came to an end. This time after the strike had been in progress for some days, the employers offered an increase of the daily rate, which was accepted by the men on strike. When the Indian dock labourers returned to work, a collision occurred between them and the Burmans brought in to fill their places. For some days there was grave rioting, in which, according to the estimate of the committee subsequently appointed by Government, about 120 persons were killed. The great majority of these were Indians, and the Indian labourers were in a state of panic, numbers returning to India at the first opportunity. It soon became apparent that there was a demand, strongly supported by public opinion, for the employment of Burmans on the docks.

Settlement of the Dispute.

As a result of these events, and although the original parties to the dispute had reached a common basis, Government was forced to intervene, and a settlement was reached with the stevedore firms and the shipping companies by which Burmese and Telugu labour was to be employed on a 50—50 basis. This settlement followed conversations between the Governor and a number of Burmese and Indian representatives. The details were worked out by a Conciliation Board appointed under the Trade Disputes Act ; but the resolution appointing them stated that a settlement " had in principle already been arrived at " and indicated that this settlement involved the allocation of a proportion of ships to labourers of each race. The instructions to the Board were that they were " to promote a settlement on the above lines and to work out the details of the settlement." We confess, in passing, to some doubt if the appointment of a Board of Conciliation in a manner which does not leave entirely to their judgment the line most likely to lead to a settlement is in accord with the spirit of the Trade Disputes Act ; but at the time it would have been difficult, and probably perilous, to pursue any other line. Since then the principles of the settlement have been carried out. There is no question that Burmese labour generally has not attained the efficiency of Indian labour in the loading and unloading of ships ; but competence in such work cannot be gained immediately, and those whom we examined were guarded in their estimate of what the future held. Apart from the question of efficiency, there would seem to be some uncertainty as to whether, if the economic position became easier, there would be adequate Burmese labour available for work of this kind. Burmese opinion generally is naturally in favour of the employment of Burmans not merely in this branch of work but wherever possible. So far as Indian labour is concerned, it is clear that before the

strike there was more labour available at the docks than would suffice for the work, and, although the daily wage was increased, the result of the settlement was to leave this labour worse off than before.

Decasualisation.

The question of dock labour in the major ports, including Rangoon, is discussed elsewhere; what needs emphasis here is the urgent need of a policy of decasualisation. There is no port in India where the wage rates would seem to be so high; but these bear little relation to average earnings. The employer is apparently paying nearly Rs. 50 for each 28 days of work, but it is doubtful if the average Indian dock worker is earning half this sum. We believe that there is a great opportunity for improving the standard of earnings, without any addition to labour costs. Indeed, many workers would be benefited if they received regular work at a lower daily rate than that now current for casual labour. We have not overlooked the fact that, owing to the variations in trade, there must be substantially less work at some seasons than at others; but the numbers now seeking employment and obtaining it intermittently exceed the numbers necessary at the busiest times. The registration of definite gangs and their employment on some regular system would seem to be the first step in a very necessary reform.

Health Conditions.

We now turn to the problems associated with the health of the immigrant. In spite of the large volume of emigration, there appears to be no medical inspection, either on leaving India or on arriving in Burma. In our opinion there should be a medical inspection of emigrant labour in India, so that the weaklings and the unfit, beggars and lepers may be prevented from embarking. Vaccination against small-pox and inoculation against cholera would reduce the danger of introducing these diseases from India. Recently the Port Health staff has taken steps to vaccinate on arrival such immigrants as it deems to be unprotected, but the system in force is unlikely to have much effect in protecting the community from small-pox brought from outside. No other form of health control is in force, and the poor physique and low standard of health of the average immigrant are such as readily to lay him open to attack from disease, especially under the conditions facing him on arrival. That health conditions are unsatisfactory is evidenced by the mortality figures for Rangoon. In 1929 the death rate was 32 per 1,000, while the figure for infantile mortality was 321 per 1,000 births. The corresponding figures for the previous five years averaged 34 and 340 respectively. In a town in which more than half the total population consists of males between the ages of 15 and 50 years, the age distribution is particularly favourable to a low death rate, and, as no correction factor in this connection has been applied to the published figures, the death rate must be regarded as high. The death rate for 1929 among Hindu males in Rangoon is given as 25·9 per 1,000, a very high figure when it is remembered that probably over four-fifths of this population is between the ages of 15 and 50 years.

Housing Conditions.

As Rangoon acts as a labour pool for the whole province there is a large floating population in addition to the resident labour force. The number of Indians permanently employed is very small compared with the total numbers. Housing is provided by employers for a substantial proportion of the former, generally in the form of barracks. Some of these are of a fair standard, but much of the accommodation is capable of considerable improvement. The barracks are subject to inspection by the Corporation, but that authority rarely insists on enforcement of its own regulations. In many cases the buildings are two-storeyed and arranged back to back, whilst sanitation is defective. In spite of these defects, they are superior to anything else available for labour in Rangoon, but they are very different from the type of housing to which the worker is accustomed. The Corporation has provided houses for about 20% of its employees and proposes to extend its building programme until it has accommodated 60% of its staff, whilst the Rangoon Port Commissioners have also built quarters for a proportion of their permanent employees. Generally speaking, temporary employees and casual labourers find shelter in buildings registered as lodging-houses by the Municipality. Most of these places are situated in the heart of the city, where land is expensive and rents are high, and in 1928 there were 1,659 such houses licensed for 75,777 persons. There is a large population for whom no proper housing is available, and these overcrowd the lodging-houses beyond the licensed limits. A lodging-house usually consists of a single room without windows or ventilation openings and with no sanitary arrangements. The room is leased on payment of a lump sum to a gang *maistry*, who crowds in as many labourers as he can. Each tenant pays from Rs. 2 to Rs. 4 rent per month. The committee which reported on the Public Health of Rangoon in 1926 describes a room in which were counted 50 persons, although the number allowed by municipal regulation was only nine. " Every inch of floor space is occupied by a sleeping human being and others are to be found on shelves and bunks along the walls ". In a number of houses the occupants include some women, and so-called married quarters consist of a small portion of the room screened off with gunny bags. Interior partitions of different kinds have the effect of reducing light and ventilation still further. The same room may also be occupied by two sets of tenants, one at night and the other, whose work takes them out at night, during the day. The standard of accommodation in the Corporation bye-laws is by no means exacting, being 36 square feet per person. This is reduced to 24 square feet where ventilation is ample and an open space exists round the building. Under these regulations the average room, about 12½′ × 50′ in size, provides for fourteen persons, but if it were occupied half the time by one gang and half by another, there would be no grounds for prosecution, although 28 persons were in occupation. In the hot weather conditions may not be so detrimental to health as these figures would seem to imply, because most of the tenants use the room merely as a place for

storing possessions and sleep outside on the streets or pavements. In the monsoon and cold weather months, however, overcrowding must be intense. Accommodation being so restricted, in the dry season it is not unusual for larger numbers of rickshaw pullers to spend the nights in or under their rickshaws.

Non-enforcement of Bye-Laws.

Municipal bye-laws in regard to these lodging-houses are generally disregarded. During the past two or three years, municipal inspectors have attempted to secure some improvement by prosecuting the worst offenders, but no vigorous campaign has been instituted. Two reasons are given for this defective control. One is that the magistrates treat delinquents too leniently, the ordinary sentence for breach of the regulations being only a small fine. The second is that, if the rules were enforced and each lodging-house only housed the regulation number of persons, crowds of labourers would have no shelter of any kind. The suggestion was made to us that, in order to force a crisis, strict enforcement of the regulations should be applied to the worst areas, the most propitious moment for inception of the campaign being at the end of the monsoon. The argument was that this plan would not add to human distress, that many of the excess numbers would thereby be forced to return to their villages in India, and that the authorities would be compelled to adopt more active steps to amend the present state of affairs. There can be no doubt that a large amount of additional accommodation is urgently required if the numbers of immigrant labourers are maintained at their present level, but it is not certain that the present *laissez-faire* attitude does not impose greater hardships than would result ultimately from a much more strict enforcement of the existing municipal regulations.

Inadequacy of Water Supply.

Other important features intimately connected with these conditions add to the evils of the situation. The present water supply has long been inadequate to meet the needs of the total population, and the Public Health Committee, in its report, sums up the situation by stating that there can be no marked improvement in general conditions until an adequate supply is available. The Corporation has definitely announced that it cannot supply water to any areas not already served, and this decision has prevented the development of housing schemes on land to which water has not been laid. The problem cannot be solved by the sinking of wells. The Government, recognising the difficulties of the situation, decided in 1926 to bear the entire cost of investigation of additional sources from the dual point of view of water and electric power supply, but none of the proposed schemes has yet been undertaken, mainly because of the large expenditure involved. As a result of the shortage of water, large sections of the city are without sewers, and because of the increased difficulties of ensuring efficient sanitation, the death rate of these sections is generally higher than that of other sections more fortunately situated. This defect is so pronounced that it has been proposed to supply river water for flushing the drains and for cleansing the paved drainage spaces.

One further result has been to prohibit the use of areas which in other circumstances could be made reasonably sanitary and be utilised to relieve existing congestion. The disposal of the Development Trust lands is handicapped because further efforts to open up communications and make land available would greatly restrict the Trust's activities by the sinking of capital in land and houses to which no water could be brought. The position is that no material extension of the areas to be used for development schemes can be undertaken until a greatly increased water supply is provided. Even in the areas provided with water, there are constant complaints of shortage of supplies, mainly because of the tremendous wastage which is permitted.

Municipal Administration.

Rangoon has advantages possessed by few industrial towns in India. The main streets, even in the area where the industrial workers live, are broad and spacious, and the back streets leading to the lodging-houses are not narrow, measured by ordinary Indian standards. In addition, a substantial area is sewered. Thus the two main difficulties which confront local authorities elsewhere are absent. But, in spite of this, sanitation is seriously defective. The corporation staff has apparently been unable to maintain an effective system for the regular removal and disposal of refuse. Insufficiency of dustbins tends to encourage the common practice of throwing litter and rubbish from upper windows on to the paved back spaces below and to intensify the lack of sanitation. Even in the sewered areas, sewage stagnates as a result of blockage of drains and traps with refuse, and the areas at the backs of the lodging-houses seem to be seldom clean. The conditions which prevail indicate the need for more stringent municipal administration. The enforcement of bye-laws in regard to food supplies, markets and sanitation, and efforts directed towards prevention of waste of water would go a considerable way to effect improvement. The revision of building rules and the adoption of model bye-laws, providing *inter alia* for masonry plinths and two or three storeyed buildings would also assist. We have dealt elsewhere with the weakness resulting from the lack of control by Government over the health administration of municipalities, and in no place is control more necessary than in Rangoon as its health problems are the concern of the whole province. In addition, the Government Public Health Department apparently has no control over the port health administration, and some alteration of the position here is also desirable. The committee appointed by the Government of Burma to report on the re-organisation of the Public Health Department made specific recommendations on this point.

The Development Trust.

The Rangoon Development Trust, which has been in existence for ten years, has done valuable work in constructing roads, in providing drainage and in opening up new areas for development, although its activities outside the areas supplied with water have been greatly restricted

because of the Corporation's inability to extend the supply. But although sections of the existing Act contain provisions for the working out of town-planning schemes, it has not been found possible to put these into operation. As regards the housing problem, the Trust has so far done nothing directly, and it has given no facilities for the acquisition of land for workers' houses. Within recent months a draft bill entitled the Rangoon Immigrant Labour Housing Bill has been prepared for the provision of housing accommodation. Under this bill, the Development Trust is authorised to maintain and administer a fund for these purposes. The main source of income would be derived from a tax to be levied on every male passenger leaving Rangoon by sea-going vessels for a destination outside Burma. Such a tax, which would be additional to the Rs. 2 tax already in existence, is estimated to produce Rs. 4 lakhs per annum. The objects on which this fund is to be expended include repayment of loans, the purchase and preparation of sites, the construction and maintenance of rest-houses, barracks and other forms of accommodation suitable for housing labourers and the payment of subsidies to private persons for the construction of such buildings. It is proposed that the Trust should build workmen's dwellings and then sell them to private owners at the market price. The proceeds of the tax would cover the loss incurred by the Trust. The proposals embodied in the bill met with some criticism on the ground that the whole burden of providing the necessary taxation was to be placed on persons leaving Burma. We deal later with the question of responsibility for housing, but we would observe here that various interests are responsible for, and stand to gain from, the provision of satisfactory housing for immigrant labour. The Chairman of the Trust stated that they hoped to build sufficient accommodation under this arrangement to house 33,000 persons in the next ten years and, by that time, to enable the municipal public health authorities to use their powers in dealing with overcrowding without producing cases of unquestioned hardship. To begin with, at least, the Trust's activities are to be confined to the sewered area of the city where the labourers are now living. One of the first steps to be taken should be the provision of rest-house accommodation, and we would emphasise the need for urgent action in this connection. The Protector of Immigrants might with advantage be given some responsibility for its supervision. We also consider that the desirability of providing married quarters should not be overlooked.

Under-development of Available Sites.

A considerable amount of land, even in the heart of the city, is not being used to the best advantage. Numbers of plots suitable for housing purposes lie vacant, and some are held up either by private owners for a rise in price or by some public authority for future needs. Many other sites are "under-developed" in that the type of building is inadequate or unsuited to the present needs of the locality. Large and valuable sites are also occupied by such buildings as the jail and the old asylum, both of which institutions could be advantageously removed outside the city to cheaper and more open sites. The

scarcity of land for building purposes and the high cost of the limited amount at present available in the centre of the city are difficulties which could be considerably modified and reduced if these under-developed areas were properly utilised. On the other hand, the development of new suburbs and the provision of cheap transport facilities must depend on the possibility of extending water and sewerage to outlying areas.

Previous Investigations.

When we come to consider recommendations, we find that the ground has already been covered by various committees and other bodies which, at different times within recent years, have investigated the problems associated with immigration in far greater detail than has been possible for us. Moreover, these bodies were composed of persons having intimate local knowledge. The 1926 Report on the Public Health of Rangoon contains numbers of recommendations which still largely await translation into action. The Report of the Committee appointed to enquire into the effects of the removal of rent control in Rangoon contains additional information and statistics which are of value in finding a solution of the housing problem, and the minor recommendations made in paragraph 15 of that report give more than an indication of the lines on which progress might be made. Another Committee has reported on the re-organisation of the Burma Public Health Department, and certain recommendations made by it have an important bearing on the health administration of the city and port. The Government has made a number of investigations into the possibility of obtaining additional water supplies for the city. The questions we have been considering have thus been largely explored, and the need is now for action.

Responsibility for Conditions in Rangoon.

One of the obstacles in the way of action appears to be uncertainty as to where the responsibility lies. The Municipal Commissioner of the Rangoon Corporation took the view that, when employers did not supply housing to their work-people, it should be the duty of the provincial Government to do so. The Secretaries to the Government of Burma who gave evidence rejected this view, but they were not in entire agreement as to the extent of the Government's responsibility for housing. At the same time, Government has drafted the bill, to which reference has been made, to enable the Development Trust to undertake the construction of housing accommodation for immigrants. The proposals underlying this bill were referred to various bodies for their views at the end of 1929. The Corporation has made no representation to Government with respect to housing, nor has it attempted to deal with the general scarcity of housing. So far as we are aware, it has not considered the idea of raising loans with the sanction of Government for the purpose. It holds the view that the question should be taken up by Government and, if necessary, it would be prepared to contribute a sum towards the expenditure on any scheme that might be devised.

A Joint Conference.

So far as general health measures are concerned, the investigations already made show with sufficient clarity what is required, and Government should now take the necessary steps. In respect of housing, there should be a frank recognition of joint responsibility. The municipality, to whom the care of the health of the people of Rangoon has been directly entrusted, are primarily, but not solely, responsible. The health and housing of Rangoon are the concern of Burma as a whole. The difficulties of the city arise partly from the fact that it has to shelter immigrant and emigrant labour, which finds employment in other parts of the province at certain seasons. Government cannot leave the municipality to face the difficulties unaided. Employers also have a measure of responsibility, and when they import labour, this responsibility becomes greater. We recommend that the line of action. and the share to be taken by the parties concerned, be now determined at a conference. This should be convened by Government and should include representatives of Government, of the municipality, of employers, of the Development Trust and of the port authorities, with some who are able to voice the needs of labour. We do not suppose that the solution of the housing problem of Rangoon will be simple, but the need of action is imperative, and with vigour and co-operation the difficulties can be overcome.

Attraction to Immigrant.

We have been dwelling mainly on the hardships which many immigrant labourers have to endure in Rangoon. But it is obvious that large-scale emigration could not continue if these represented the whole of the picture. The emigrant goes to Burma because he wishes to better his condition and because he knows that others have bettered their condition by so doing. The main attraction which Burma offers is that of a comparatively high wage. We have indicated in an earlier chapter that the general level of industrial wages is higher than in any Indian province ; the bulk of the labour is drawn from areas where the standard of living is particularly low, even for India. For example, the prevailing rates of wages for unskilled labour in most Madras districts would appear to be generally between 7 annas and 4 annas a day ; and lower rates than 4 annas are not infrequent in the Telugu districts. Mr. Bennison, in his report on the standard of living (1928), estimated the average monthly income of single Tamils, Telugus and Uriyas at Rs. 24-4-9, of single Hindustanis at Rs. 26 and of Chittagonians at Rs. 29-5-3. He gave the average remittances to dependents for these groups at Rs. 7-7-8, Rs. 8-10-0 and Rs. 9-0-3. The figures on which these are based were usually derived from estimates supplied by the workers, and we are not clear as to how the figures for income were calculated and, in particular, as to the extent to which allowance was made for unemployment or the casual character of employment. But there can be no doubt that work in Rangoon and elsewhere in Burma is paid for at rates which are far in excess of anything the average immigrant could obtain in the area from which he comes. The

work supplied in Burma supports a great number of Indians who would have difficulty in getting a bare sustenance in India and affords substantial relief to their families at home. If Burma has benefited greatly from Indian labour, India has also been substantially helped by the provision of an outlet for sections of her population that are hard pressed and by the surplus of their earnings.

Immigration Policy.

All the questions under consideration are bound up with and lead back to the question of the policy to be pursued in future in respect of Indian immigration to Burma. On this question we are unable to reach any definite conclusions, for two reasons. In the first place, the question of the immigration of industrial workers cannot be considered apart from that of agricultural workers and other classes of immigrants. In the second place, the question must depend on the constitutional relations between India and Burma, and these appear likely to undergo a radical change. We should add that, apart from these difficulties, the absence from our deliberations of any Burman, and the deficiencies in the evidence, would have handicapped us in attempting to solve so delicate and difficult a question. We must limit ourselves to putting forward certain broad considerations which will require attention in this connection. We have noted the emergence of a desire that Burmans should take a larger share in the supply of industrial labour. This desire is based partly on a natural apprehension regarding the effect on the standard of living of the continued employment of Indian unskilled labour. It is reinforced by the present economic conditions, which are compelling Burmans to find employment in fields which in better times they would not enter, and it has the backing of Burmese national sentiment. If Burma is separated from India, control over immigration must ultimately rest with Burma herself. At the same time, it is by no means inconceivable that, in such circumstances, there may be a demand in India for some restriction on emigration. There is the possibility, therefore, of a demand on both sides for the regulation of Indian emigration. So far as assisted emigration is concerned, we see no objection to suitable restrictions. There is a strong case for control over this kind of emigration with a view to ensuring that men are not assisted to emigrate without a guarantee of maintenance for a period of reasonable length or of repatriation. If such control led to a reduction in assisted emigration there would be little reason for regret; for the existing amount of work for Indians in Burma could be discharged by a smaller labour force, with benefit to all concerned. But it would be unfortunate, from the point of view both of India and of Burma, if artificial obstacles were placed in the way of the unassisted emigration of the able-bodied or their dependents. The need of Indian labour in Burma, which has been great in the past, may be reduced, but is not likely to disappear in any future that we are considering. Reference has already been made to the benefit which India receives in return, and this benefit could be enhanced by suitable measures in Burma. We agree with the Burma sub-Committee of the Indian Round Table

Conference "that adequate attention should be paid to the question of immigration of Indian labour and that provision should be made for the regulation of the conditions of both the work and life of the immigrants". They added to this: "The sub-Committee also especially stress the importance of there being no discrimination as regards Indians entering Burma", and we believe that it would be unwise at present to impose restrictions which are not designed to benefit labour itself. We recommend that, as soon as a decision has been taken regarding the constitutional position of Burma, the question be examined by the Governments of Burma and India in consultation with all the interests concerned.

Statistics.

In the meantime, further statistical information regarding immigrant labour is urgently required. The main need here is to secure reasonably accurate figures bearing on the extent of employment available at different seasons and the movements of immigrant labour in search of work. This cannot be obtained by enquiries limited to Rangoon, or even to industry. It will be necessary to examine the position in respect of the demand for agricultural labour ; and we do not suggest that the material can be obtained without skill and patience. But, until it is possible to say how many immigrants Burma requires and can maintain on a reasonable standard throughout the year, and not merely during months or days of employment, the basis for a sound immigration policy is lacking.

Weakness of Labour.

Whatever steps are taken to regulate immigration, it is essential that satisfactory conditions of life and work should be maintained for the immigrant population. We are satisfied that, except where regular employment is available, the present conditions are unsatisfactory in several respects. Indian labour suffers from all the disadvantages of being in a foreign country and serving there for a short term ; it is unskilled and leaderless and is divided into races that are not likely to combine among themselves, and still less likely to combine with Burmese labour. There is no Indian province where industrial workers are less organised than in Burma, and there appears little prospect, in the near future, of the effective and permanent organisation of the mass of Indian labour. The workers are aware that their only alternative to accepting such conditions as are offered is a return to penurious circumstances in India, and even that return is not always possible. The employers are in a position to ensure that their claims and difficulties receive adequate consideration ; the workers, whose need of consideration is greater, are not vocal. In many cases, owing to the prevalence of the *maistry* system, they are not able even to press their needs on the firms under which they are employed. The continuance of the present conditions in Rangoon involves not merely hardship for many immigrants but peril to the healthy development of Burma. The maintenance of a large mass of labour which is inadequately protected, is bound to lower the general standard of life and

health; and the interest of Burma, no less than that of the immigrants, demands that their welfare should be a constant care. In Rangoon we were struck by the contrast presented between the thought and foresight devoted to technical and commercial aspects of industry and the comparative neglect of the labour aspect. At the present stage of her development, Burma has a great opportunity of profiting in labour matters from experience elsewhere. The need of a labour policy is evident, and we would urge on the Government of Burma, on employers, and on all concerned the acceptance of a much greater measure of responsibility for the strangers within the gates.

CHAPTER XXIV.—STATISTICS AND ADMINISTRATION.

In this chapter we deal mainly with the relations of the administration to labour, reserving questions that raise constitutional issues for the following chapter. We devote the first part of the chapter to the question of the collection of intelligence, and particularly statistical information, regarding labour. In the second part we deal with the general administration of labour subjects by the various Governments concerned, and indicate how some of the recommendations we have already made in connection with the administration of special subjects can be co-ordinated.

I. STATISTICS AND INTELLIGENCE.

Factory Statistics.

The existing statistical information relating to labour can be briefly reviewed. So far as factories are concerned, there is published in each province an annual report on the working of the Factories Act. These reports, in addition to reviewing the administration of the Act for the preceding year, contain a little information regarding wages and other matters affecting the welfare of the workers. They are accompanied by fairly full statistics giving details of the number of factories, the working population, their hours of employment, accidents, inspections, prosecutions under the Act and other matters. The information contained in the various provincial reports is summarised in "Statistics of Factories", an annual publication issued by the Government of India. To this is appended a short note on the working of the Factories Act during the year which calls attention to the more important features of the year's administration. The form of the returns is prescribed by the Central Government under the Factories Act, and their submission is obligatory on factory owners. These returns do not make any distinction between perennial and seasonal factories. As conditions are very different in these two classes and their combination in one set of statistics gives a misleading impression of factory activity and the regulation of factory work, we recommend that all the statistical tables at present prepared be compiled and published separately in respect of perennial and seasonal factories. So far as we are in a position to judge, the factory statistics are reasonably accurate, but more attention should be devoted in some provinces to checking the figures supplied by factory owners in respect of the average number of workers employed. We recommend that Government should examine the possibility of obtaining from the factory owner the total number of persons employed in his factory for not less than one month in a year. We are aware of the difficulties but we believe that in the perennial factories particularly the maintenance of some record of this type would be of advantage to employers in obtaining the facts relating to turnover. We further recommend that the Factories Act be amended so as to make it possible to call for returns in respect of wages following the analogy of the Mines Act. These statistics are not usually published until the second year following the year to which they relate, and other statistics are frequently

published after a delay which diminishes their utility. We recognise the difficulty where provincial statistics have to be co-ordinated and recommend that an examination be made of the causes of delay with a view to devising a method which will ensure more prompt publication.

Mines Statistics.

In respect of mines a full annual report is prepared by the Chief Inspector of Mines and published by the Government of India. The report and the statistics which accompany it deal both with production and with labour and the particular feature of both parts of the publication is the attention given to accidents and their causes. The statistical information, which in respect of labour gives particulars similar to those supplied by the factories returns, is compiled from returns statutorily required under the Coal Mines Regulations and the Metalliferous Mines Regulations issued in 1926. Under the Mining Regulations particulars have also to be furnished regarding earnings and the Chief Inspector of Mines publishes statistics based on these returns. As in the case of factories, it is desirable that figures if possible should be obtained annually which would give some indication of the total number of persons employed in the coal mines. Such figures would be particularly useful where there is a great difference between this number and the average number employed. We recommend that the question of securing such figures be examined. As we have already indicated, the present statistics, particularly in respect of coal mines, give no indication of the total number of persons employed wholly or part-time.

Plantation Statistics.

In respect of plantations, the issue of periodical official information is virtually confined to Assam. Published returns are prepared annually by the Commissioners of the two divisions of Assam ; these give a review of conditions relating to immigrant labour during the year, and they are accompanied by statistics of emigration of the labour population, mortality among labourers, average earnings, complaints, inspections and other matters. These statistics, including those relating to earnings, are based on statutory returns which employers are required to submit by rules made under the Assam Labour and Emigration Act. Particulars of emigration to Assam under that Act, are also published annually by other provincial Governments, but there are no regular statistics for plantations in other provinces. As regards Assam, particulars might be given of the number of labourers employed who do not live on the gardens, and the vital statistics given in the annual report should include both births and deaths. A start should also be made with the collection of statistics relating to plantations in other provinces and particularly in Bengal, Madras, Coorg and Burma. We recommend the adoption of statutes requiring planters to furnish statistics relating to the labour forces employed by them. To begin with, these might be confined to the numbers of men, women and children employed, births, deaths and earnings.

Other Periodical Returns.

Annual returns are also issued by provincial Governments in connection with the Workmen's Compensation Act and the Trade Unions Act. These are accompanied by statistics relating to the payment of workmen's compensation and to registered trade unions. The former statistics cover the main branches of industry and are summarised annually by the Government of India with some comments on the working of the Act. We recommend that for the convenience of the public a similar summary be published relating to the Trade Unions Act. The Government of India also publish statistics of industrial disputes. These are supplied by provincial Governments, some of which publish the figures for their provinces. The tables, prepared on a monthly basis but issued quarterly, give the number of disputes, the number of persons involved, the principal causes and the general results.

The Need of Statistical Information.

The periodical statistics to which we have referred are designed mainly for administrative purposes and throw little light on the economic position of the worker. Even if they were supplemented in respect of wages in the manner we have suggested, they could not take the place of regular statistics of earnings and of the worker's expenditure. We have already referred to the limited information available in respect of the standard of living of the industrial classes, and we have stressed the importance of taking steps to remedy the present deficiency. There seems to be an impression in some quarters that the collection of such statistics is a luxury in which only rich countries or provinces should indulge. This, in our view, is a profound error. It is on facts that policy must be built, and so long as there is uncertainty as to the facts, there must be confusion and conflict regarding the aim. The absence of accurate statistics regarding the life of the workers constitutes a serious handicap to intelligent efforts to better their condition.

Wages.

The three main subjects on which information is most urgently needed are wages, earnings and the expenditure of the workers. So far as wages are concerned, practically nothing has hitherto been achieved with the exception of the enquiries made by the Bombay Labour Office into wages in the cotton mill industry of that Presidency. An attempt was made by the Government of India to institute a wages census in 1921, but retrenchment led to its abandonment. Satisfactory statistics regarding wages can only be obtained from employers and must be collected on a fairly extensive scale on the basis of individual industries. The possibilities of working on samples are very limited; in its last and most elaborate enquiry the Bombay Labour Office depended on sampling, but the sample taken was a very large one. In most Indian industries there would seem to be wide variations in wages, and even in their methods of calculation and payment, from establishment to establishment in the

same centre, so that representative samples are difficult to secure. These considerations mean that fairly elaborate machinery is required for any satisfactory wages enquiry.

A Statistics Act.

Further, we doubt if any extensive progress can be made without statutory powers. The Bombay enquiries have been carried through with the co-operation of the millowners, which was accorded on a generous scale; but it seems to us unlikely that the same amount of success could be achieved elsewhere by voluntary methods, and we note that the experience gained in Bombay led to the sponsoring of a statistics bill by the provincial Government in 1924. Opposition was offered to it, especially by employers who were apparently reluctant to concede the Labour Office extensive powers, and it was abandoned by the Government in 1926. We believe that the principle of the measure was sound; legislation for the collection of statistics regarding the economic condition of the people is now in force in the majority of countries of any industrial importance. In respect both of wages and of other subjects bearing on the life of the industrial worker, the systematic collection of statistics requires legislation. We observe that the majority of the Indian Economic Enquiry Committee of 1925 advocated the passing of a comprehensive Census and Statistics Act. The remaining member, whilst accepting the principle of compulsion, proposed to amend the Factories Act to secure the same end. We have already recommended an amendment of this Act in order to secure particulars of wages, but we do not think its scope is wide enough for the needs we have in view. We recommend that legislation be adopted, preferably by the Central Legislature, enabling the competent authority to collect information from employers regarding the remuneration, attendance and living conditions (including housing) of industrial labour, from merchants regarding prices, from money-lenders regarding loans to workers and from landlords regarding rentals. We do not think that there need be any apprehension regarding the possible abuse of such powers by Government departments. But we propose in the following chapter the constitution of a body including employers which could be consulted in the matter. A body of this kind, when they were satisfied regarding the need of compulsory powers and the discretion that would be shown in using them, would be able to give the necessary authority to Government offices and other reputable enquirers. It would naturally be a statutory condition that individual returns should not be published or disclosed without express permission.

Earnings.

The need for accurate information is even greater in the case of earnings than in the case of wage rates. Although some light on earnings can be obtained from the collection of accurate wage statistics, reliable information regarding these cannot ordinarily be obtained from the employer. As a matter of fact, in many cases the employer's books do not contain particulars of the earnings of the individual worker. The

employment of substitutes is not entered in the books, and other factors too often introduce errors of importance. Further, the employer is only able to give particulars of the individual when he is actually earning money. There is at present little record of periods of absence, and the record of a man's earnings for a month or two may afford an entirely misleading indication of his average annual income. Finally, even if accurate information regarding the earnings of the individual could be secured from the employer's books, it would in itself have a very limited value. We believe that in some cases employers might find such information useful as a measure of the success of any endeavour to raise the standard of living by increasing regularity of employment, but it would be of practically no value as a measure of the standard of living itself. This depends on a large number of factors lying outside the knowledge of the employer. It depends in the first instance on the income, not of the individual, but of the family, and even that income affords little indication of the measure of comfort. In order to secure this, it is necessary to have full information regarding the composition of the family and the various claims on its income.

Income and Expenditure.

Information regarding the income of the workers must ordinarily be associated with information regarding its expenditure, and both are best collected by means of family budget enquiries. Here again we find that comparatively little progress has been made. Enquiries of value have been conducted by the Bombay Labour Office in Bombay, Ahmedabad and Sholapur and by the Labour Statistics Bureau in Rangoon. In some other centres a certain amount of work has been done. As a rule this has been directed more towards measuring movements in the cost of living than towards giving any full indication of the standard itself. One or two of these smaller enquiries have been successfully carried through. In a number of cases enquiries have been instituted by students of economics, social workers, officials and other agencies, without any clear recognition of the difficulties involved and without much regard to statistical principles. The two commonest errors were the failure to give adequate training to the investigators of the basic facts, and indifference to the vital factor of sampling. As a result of these and other mistakes, a fair amount of honest effort has been misdirected.

Training of Investigators.

Anxious as we are to see a great extension of economic enquiries bearing on the standard of living, we must emphasise the difficulties in the way. The collection of statistical material from the workers on any extensive scale requires special qualifications. For an untrained investigator to descend on the workers' homes and collect such particulars as he can in a casual visit is valueless. The preliminary difficulties have been faced already by the Bombay Labour Office, and they have evolved a technique which can be studied with advantage by others who propose to embark on similar enquiries. We recommend that, wherever possible, investigators should undertake a course of training with

that or some other office which has conducted a successful enquiry. We do not doubt that any such office will gladly co-operate in assisting accredited investigators as far as it can. Differences in language and customs may make it impossible for one enquiry to employ all the methods that have been successful in another, but the chief difficulties are, we think, common to all industrial centres. Only an investigator qualified by training and by the possession of a large amount of tact and patience can hope to be successful anywhere. The Bombay Office has found that for enquiries of the kind under discussion, women investigators are preferable, if not essential, and this will be true in most industrial areas. It is from the woman in the family that information has generally to be secured, and it is more easily secured and tested by a woman investigator.

Sampling.

Equal in importance to the employment of qualified investigators is the adoption of sound statistical methods, and in any extensive enquiry careful sampling is of cardinal importance. If accurate information is required regarding any class of persons, and if it is impossible to collect particulars from all, it is essential that the cases selected for investigation should be thoroughly representative. The collection of a series of family budgets selected on no scientific basis cannot possibly yield results of any statistical value. It would be superfluous to emphasise so obvious a principle were cases not numerous in which it has been ignored. The only alternative to sampling is the intensive enquiry, *i.e.*, an enquiry covering the whole of a strictly limited field. Thus, for example, the budgets of all (or nearly all) of the workers in a particular group could be collected; and we consider that small-scale enquiries of this kind would serve a useful purpose.

Other Enquiries.

The subjects discussed by us are by no means the only ones on which information is required. In almost every direction the field is practically unexplored. So far as the standard of living is concerned, only part of the work is done when particulars of income and expenditure have been secured. Connected with this there is a host of questions awaiting investigation, such as the incidence of sickness, migration, absenteeism, industrial fatigue, etc. The scientific study of the human problems of industry has scarcely begun in India, and the loss which has arisen from this neglect is evident.

Universities and Private Investigators.

We now come to the share of the task which should be undertaken by the various agencies that are available. These may be divided into three classes—official agencies, employers and others. Dealing with the last first, substantial assistance can be claimed from the universities. Other possible agencies are social and religious workers and private economists and students. We believe that all these agencies would do well to limit themselves to intensive enquiries, *i.e.*, to the thorough

investigation of a very limited field. Their resources are seldom equal to extensive enquiries which demand machinery not usually at their disposal, and the attempt to cover too wide a field has stultified some of the efforts made by such investigators in the past. Examples of the types of investigation which can suitably be undertaken by such agencies are those relating to a small but clearly defined group of workers, *e.g.*, those employed in a small industrial establishment or forming a small section of a large one. For such groups, the analysis of their income and expenditure, their families, their indebtedness and its causes, their migrations, their absenteeism and its causes, their sickness, their housing and the inter-relations of such factors offer an almost unlimited variety of useful enquiries. The universities of India are mostly situated in cities and towns of some industrial importance, and enquiries of this kind could be conducted by students of economics working under the direction of the university staff and in co-operation with labour office. The work, if properly done, would form a valuable addition to economic knowledge and would directly benefit the whole community, which contributes much through taxation to university funds. From the point of view of education, we believe that the results would be equally valuable, for such enquiries would supply the practical training which is an indispensable adjunct to any course of study related to present-day problems. We are aware that in some universities work of this kind has been attempted, and recommend to university authorities everywhere the examination of the possibility of making work of this kind an obligatory part of courses in economics. We believe that it could form a valuable part of the curriculum and that it would assist in bringing the universities of the country in closer contact with industry, an end which should be earnestly pursued.

Investigation by Employer.

For employers the opportunities are almost equally great, and having regard to the very valuable service which certain types of investigations might yield to employers, we are surprised to find how few have embarked on this field. Only one or two employers appear to have made experiments in the matter of working hours, *e.g.*, their length and the distribution of intervals, and few could guarantee that the arrangement of their hours, which too often depends on tradition, was such as to secure the best results. It is quite certain, for example, that for a number of years some branches of industry worked hours which, by reason of their length, were definitely uneconomical, but it was left to legislation to demonstrate the fact through the introduction of a better standard. The whole subject of industrial fatigue, which is of such importance to efficiency, has been almost ignored in India, and there are countless directions in which experiments could be made by employers with a view to discovering means of improving output and efficiency. In an earlier chapter we have made proposals for systematic research into such subjects, but we would also urge on the larger individual employers and on associations of employers the possibilities of experimental work.

Labour Bureau for Bengal.

The more extensive investigations which are necessary are, in our view, the task of Government. The possible expansion here is very great, but the available resources, at the present juncture especially, are not large; we therefore recommend only the action most urgently required. We hope that, with the return of easier conditions, the great importance of economic enquiry will be better appreciated, and that there will be a big and early advance in the most useful directions. The first requirement is a labour statistical office in Bengal. This is the chief industrial province and includes a greater variety of important branches of industry than any other province. With its great textile industry, its engineering and railway development, its coal mines and plantations, its shipping and inland transport and a host of other activities, it forms a dominating and representative section of Indian industrial enterprise, and in this direction India is entitled to look to it for a lead. But hitherto, at any rate so far as Government is concerned, it has done practically nothing by way of statistical investigation into the conditions of the labour which contributes much of its wealth. We recommend the establishment of labour statistical machinery on a scale not smaller than that represented by the Bombay Labour Office. The annual cost of this office is in the neighbourhood of Rs. 80,000 ; similar services might possibly be secured in Bengal at a slightly lower figure. The office would start with the advantage of the experience gained in Bombay, which in its early years was necessarily hampered by the fact that it was doing pioneer work.

Investigations in other Provinces.

In other important industrial provinces we should like to see offices of a similar character, but we doubt if this is possible in present circumstances. We recommend, therefore, for the present, the setting up of thorough enquiries into family budgets in Delhi, Madras, Cawnpore, Jamshedpur and a centre in the Jharia coalfield. Some work has been done in nearly all these centres, and cost of living indices are regularly published for the Bihar and Orissa centres. But these do not appear to rest on any adequate statistical basis, and in any case no reliable information regarding the standard of living is available to the public. The construction of reliable cost of living indices, which should be one result of the enquiries we advocate, would be of the greatest assistance to employers and Government in the provinces concerned. In Burma, Rangoon will probably offer a sufficient field for the Labour Statistics Bureau for some time but we would like to see an extension to the main oilfields as soon as circumstances permit. In the Punjab, we recommend that assistance be given by Government to the Board of Economic Enquiry to enable it to institute and direct investigations in the industrial field. The possibility of establishing a similar Board in the Central Provinces should be investigated.

Possibility of other Investigations.

In these recommendations we have necessarily limited our view to the industrial worker, but investigating bureaux, when established, need not be so limited. The Bombay Labour Office conducted one enquiry into agricultural wages, and these have been the subject of regular censuses of varying value in other provinces. We believe that work of this kind could be co-ordinated with industrial labour enquiries, thus securing a better return for the money expended. The same office undertook investigations into the cost of living of the middle classes in Bombay. Such work could be similarly combined with enquiries into industrial workers' budgets in Calcutta and also in Delhi, where it should be of special value to the Central Government in view of the large staffs employed by them in the latter city.

II. ADMINISTRATION.

Administration in Provincial Governments.

The administration of the more important labour laws has been already discussed. We now review the existing arrangements for the general administration of labour subjects and add our recommendations for future arrangements and for the administrative co-ordination of the proposals already made. Dealing first with the provincial Governments, labour matters are at present the care of a Member of the Governor's Executive Council, who is also responsible for a variety of other important subjects, such as finance or law and order, labour being only a small part of his portfolio. Directly under Government is the Secretary dealing with labour, who is responsible to the Government as a whole and to the Member in particular. This officer is the channel through whom Government is addressed and issues orders, and he is also the final adviser of Government on matters within his department, disposing outright of those of secondary importance. As a rule he has no special knowledge of labour subjects when first appointed, and like his Member is responsible in different provinces for a variety of subjects such as finance, industries, revenue or public works. It may happen that labour questions are divided between two different departments. Nearly all secretaries as well as their responsible deputies, hold office for a limited period such as three years, after which they are ordinarily replaced by officers coming fresh to the subject, the permanent element being supplied by office superintendents and clerks. The theory is that the secretary supplies not so much expert knowledge as general capacity, and that his advice, combined with that of such specialists as are available, enables Government to obtain a broader view than a purely departmental expert can supply. Many subjects as, for example, public health, are entrusted to departments with specialist heads, each connected with Government through a secretary and his department.

Labour Officers in the Presidencies.

In respect of labour there is not usually a department of this kind, and expert advice on labour subjects comes from miscellaneous

sources. Madras has the nearest approach to such a system in the Commissioner of Labour, who is, however, responsible for much more than industrial labour. This officer is Commissioner for Workmen's Compensation and Registrar of Trade Unions and is also responsible for the administration of the Factories Act and for other matters connected with labour. He has also acted as conciliator in trade disputes and should be in a position, after gaining some experience, to view labour questions as a whole and give expert advice to Government. Unfortunately the value of the department has been greatly diminished by frequent changes of its head. We understand that there has been more than one such change in a single year, and in recent years no officer seems to have continued in the appointment longer than the time necessary to gain moderate familiarity with the subjects for which he is responsible. The Bombay Labour Office represents the sound nucleus of a labour department. Here some regard has been paid to the principle of continuity in the Director's appointment, and that officer, in addition to being responsible for both statistics and intelligence, is Commissioner of Workmen's Compensation and Registrar of Trade Unions. He is thus in a position to act as expert adviser to Government on labour matters. But he is not concerned with the administration of the Factories Act, nor has he (or any other officer) been expected or permitted to act generally as a conciliation officer in trade disputes. On the other hand, he has duties quite unconnected with labour. Bengal has adopted the device of combining in one officer expert knowledge of labour and secretarial duties. The Labour Intelligence Officer acts also as a Deputy Secretary to Government and as Registrar of Trade Unions, and the same officer has held charge of the post more or less continuously for about 10 years, with obvious benefit to Government. There is a separate specialist Commissioner for Workmen's Compensation; but this subject, the administration of the Factories Act and other labour subjects are all dealt with in the Secretariat by the Labour Intelligence Officer and co-ordination is thus secured. On the other hand, the Labour Intelligence Officer has no investigating staff, while he has duties outside his labour work.

Labour Administration in other Provinces.

At the head of the Labour Statistics Bureau, Burma has an officer responsible for labour matters in addition to statistics; but here also continuity of tenure has not been secured. Elsewhere there is not even the nucleus of a labour department. The Chief Inspector of Factories provides expert advice within his own sphere and may be called upon for advice on matters outside that sphere. A large number of non-specialist officers deal with workmen's compensation and there is no definite responsibility on any officer for trade disputes. The Director of Industries is usually Registrar of Trade Unions and has to act as a general adviser on labour matters. He is also normally responsible to Government for the administration of the Factories Act. He has in some provinces more permanence of tenure than a secretariat officer, but in others he has been changed fairly frequently.

Labour and the Government of India.

In the Government of India the bulk of the labour questions is dealt with by the Department of Industries and Labour, which is the charge of a Member of the Governor General's Executive Council, and has as its administrative head a Secretary to Government. Here the organisation is similar to that in the provinces. The Department deals with a great variety of subjects, such as Posts and Telegraphs, Public Works, Civil Aviation, Patents and Copyright and Broadcasting. Questions relating to labour in docks, in transport by sea or inland water are primarily the concern of the Commerce Department and railway labour questions go to the Railway Department. The Department of Education, Health and Lands is responsible for the emigration of labour outside India and questions of health. In the Chief Inspector of Mines, the Department of Industries and Labour has a source of adequate advice on all subjects relating to mining labour, but it has no specialist to advise on such subjects as factories, workmen's compensation, trade unions, trade disputes, international labour matters and many other subjects that may arise. For guidance on many labour subjects, Government is dependent on the co-ordination of advice from the provinces, which is usually obtained in the manner described in the next chapter.

Labour Commissioners.

The gaps in the existing system are obvious and, in dealing with such subjects as workmen's compensation, trade disputes and statistics, we have already made recommendations designed to remedy the deficiencies. But an equally serious defect is the lack of co-ordination of labour activities within most Governments. What is urgently required is for the administration of labour subjects everywhere to be brought to a common point. At that point there should be expert advice and experience at the disposal of Government. The great majority of questions relating to labour administration can be best dealt with in each Government by a single office, and if this is suitably constituted, there will be a considerable saving in personnel, an efficient instrument for administration and a valuable adjunct for the evolution of policy. We recommend therefore that in every province, with the exception of Assam, there should be a Labour Commissioner. We except Assam because industrial labour here is unimportant apart from plantations, and for these we have recommended adequate provision in other ways. The Labour Commissioner should be a selected officer, and he should hold the appointment for a comparatively long period, preferably not less than five years.

Duties of Provincial Labour Commissioner.

In most provinces this officer, with a small office staff, should be able to undertake responsibility for the administration of all labour subjects. The scope of these subjects may be varied by constitutional changes; but we can illustrate our purpose by saying that, in the existing allocation of provincial subjects, the same officer might be responsible

for the administration of the Factories Act, the Trade Unions Act and the Workmen's Compensation Act in the principal industrial centres where there is insufficient work to justify a specialist officer for this purpose. He would also be responsible, with such additional staff as might be required, for the collection, collation and publication of all labour statistics and general intelligence. He should be empowered under the Factories Act and other Acts, if necessary, to enter all industrial establishments and should be generally accessible both to employers and labour. He should also act as a conciliation officer and undertake those duties to which we have referred in dealing with trade disputes. He will then be qualified and should be expected to act as the chief adviser of Government in all labour matters. He should have his permanent office in the chief industrial centre of the province.

Whole-time and Part-time Appointments.

As we have observed, there is already a Commissioner of Labour in Madras, and in three other provinces there are appointments which can be converted into such commissionerships. Of the provinces where an entirely new appointment is required, the need is greatest in Bihar and Orissa and the United Provinces. In the Central Provinces and the Punjab, owing to their smaller industrial importance, even the duties we have enumerated may not justify a whole-time appointment. If, here or elsewhere, part-time appointments have to be made, we urge that the principle advocated by us be followed, namely, that there should be an officer with expert knowledge of labour matters who should be retained in the post for a reasonably long period. As regards combination with other duties, we have noted the tendency in some provinces to give the Director of Industries responsibility for labour matters, and we recognise that this officer's work tends to give him familiarity with certain aspects of labour. But in our opinion this combination is undesirable, as the officer who properly discharges his duties in the one appointment tends to diminish his own usefulness in the other. We therefore recommend that this combination be avoided. A better combination would be to give the Labour Commissioner some secretariat duties. A number of officers in various provinces combine administrative and secretariat functions and the combination, though not an ideal one, gives the administrative officer closer contact with Government and reduces the amount of correspondence necessary.

Duties of Central Labour Commissioner.

We recommend a somewhat similar appointment for the Central Government. The Government of India retain expert advisers in what are primarily provincial subjects such as education and public health, but they have no such officer in respect of labour matters, for which they have a considerable measure of direct responsibility. Whatever the allocation of subjects in future, we believe that the Government of India will retain some measure of responsibility for labour. They are likely to remain by far the largest employers of labour in India, and have responsibilities in the minor provinces. A Labour Commissioner,

in addition to his other duties, could assume responsibility (under the heads of the administration) for the enforcement of labour laws in these provinces. If the responsibility of the Government of India for the direct administration of labour matters is diminished, it would be possible to give secretariat duties to the Labour Commissioner, and his post could thus be similar to that of the Educational Commissioner with the Government of India. Here, as in the provinces, much of the work that would fall on the Labour Commissioner is already discharged by other agencies, and the creation of the appointment should set free the time of other officers for other duties. Additional staff, however, would be required for the statistical work. The central and provincial Commissioners should be able to travel about and should be encouraged to do so.

Labour Ministers.

The responsibility for policy naturally lies with Government and must remain there. We anticipate that in future Ministers will be responsible for labour questions, and suggestions have been made to us that, in some provinces at least, there should be actual Ministers of Labour, whose primary or sole concern would be with labour. We do not feel competent to advise on the question of the strength of the ministry in any province or in the Central Government. This must depend on considerations outside our scope. But we believe that the subject will require much more attention than it has received in the past, and it is doubtful if Ministers will be able to devote adequate attention to labour if it be combined with finance or the administration of law and order in one portfolio. We suggest that, at least in the more important industrial provinces, labour should be mentioned in the designation of the Minister concerned. There is something in a name, and the fact that a Minister is designated as responsible for labour will encourage him to see and the public to expect that labour matters receive adequate attention from his Department.

CHAPTER XXV.—LABOUR AND THE CONSTITUTION.

We deal in this chapter with the wider questions of the relations between labour and the constitution, and their effect on the welfare of labour.

Present Constitution.

The present constitutional position, so far as it affects labour and omitting unimportant refinements, may be briefly summarised. The various subjects of administration are divided into two main categories, central and provincial. For the former, the Central Government and the Central Legislature are responsible, and provincial Governments can only deal with them by delegation of the authority of the Central Government. The subjects in the latter category are primarily or exclusively the concern of the provincial Governments and legislatures. Some of the subjects which relate to labour, or include labour within their scope, are central and others are provincial. Thus matters relating to labour in mines, on the railways, in all the chief ports and on sea-going ships come within the category of central subjects. On the other hand, matters relating to labour in factories, in plantations, in public works and on inland steam vessels come under provincial subjects. So far as more general questions are concerned, inter-provincial migration is a central subject, but the settlement of labour disputes and the welfare of labour, which is defined as "including provident funds, industrial insurance (general, health and accident) and housing", are provincial subjects. The Central Legislature, however, can legislate in respect of practically all labour subjects, while the provincial legislatures can legislate only in respect of those labour subjects classified as provincial, and then only with the sanction of the Governor General. Further the provincial labour subjects are, generally speaking, "reserved", *i.e.*, they are in the portfolios of Members and not Ministers in the provinces, and the Government of India have full powers of "superintendence, direction and control" over the provincial Governments in such matters. In respect of those provinces which have no legislative councils, *e.g.*, Delhi and Ajmer-Merwara, the Central Legislature can legislate on all subjects and the Central Government has effective authority over administration.

Output of Legislation.

In practice, the result has been that labour legislation has been virtually confined to the Central Legislature. Since the introduction of the Montagu-Chelmsford Reforms it has passed a large number of measures. These include the wholesale revision of the Factories Act in 1922 with subsequent further amending Acts, the Mines Act of 1923 with the amending Act relating to shifts in 1928, the Workmen's Compensation Act of 1923 and minor amending Acts after that date, an Act repealing the Workmen's Breach of Contract Act and provisions of a similar kind in the Penal Code, the Trade Unions Act of 1926 and a minor amending Act, and the Trade Disputes Act of 1929. We have reviewed the items of this imposing list in preceding chapters and merely note that nearly the whole of the present labour code of India dates from 1922 or later.

The output of the provincial legislatures has been very small. An Act repealing the Madras Planters Act (which provided *inter alia* for the system of criminal punishment of breaches of contract by workmen) was passed in Madras in 1927. On the other hand, the Coorg Legislature in 1926 continued this system for five years and seems to have been prevented only by the Governor General from giving it a permanent place on the statute-book. Maternity Benefits Acts were passed by the Bombay Council in 1929, and the Central Provinces Council in 1930, somewhat similar proposals having been rejected by the Legislative Assembly in 1925. This small output is no doubt largely explained by the activity of the Central Legislature and is possibly due in part to lack of the necessary equipment in some provinces for dealing with such questions. But there seem to be some grounds for believing that in labour matters the provincial legislatures have evinced less interest than the Legislative Assembly. The interest of the Central Legislature has been stimulated by the fact that the existing constitution, combined with the Treaty of Versailles, necessitates the submission to the central, and not to the provincial, legislatures of the Draft Conventions and Recommendations adopted by sessions of the International Labour Conference.

Future Constitution.

In approaching the discussion of the future position of labour in the constitution, we found ourselves handicapped by the fact that we have had to consider the question at a time when it is uncertain what form that constitution will take. The main lines of the constitution must be determined by considerations which lie outside our scope, and until these are determined, it is not possible to advise with precision as to the best manner of securing that the interests of labour shall be adequately served. A further difficulty is that the constitutional issues relate to the whole of India, whereas our field has been limited to the provinces of British India. In these circumstances, our best course is to set down what appear to us the main considerations relating to our own problems, to recognise frankly that these can exercise only a minor influence on the bigger issues, which may be decided in more than one way, and to offer some recommendations which we believe will be of service, whatever solution is reached.

Argument for Co-ordination.

So far as labour legislation is concerned, the question of outstanding importance is that of the power which should be exercised by the central and provincial legislatures respectively. The arguments in favour of keeping legislation in the hands of a central legislature are strong. The chief argument is that without uniformity, at any rate in respect of the main principles, sound legislation is extremely difficult to secure. When the question was first raised in India more than fifty years ago in connection with the first Factories Bill, the recognition of this point led to the rejection of the idea of a provincial Act. Since that date the economic and industrial unification of India has proceeded steadily, and the difficulties inherent in prov ncial labour codes are greater now than at any

previous stage. Recently, indeed, the world has awakened to the fact that lack of progress in one country constitutes an obstacle to progress in others, and the need of dealing with labour questions on a scale transcending national boundaries resulted in the formation of the International Labour Organisation. To divide India, at this stage, into a series of units which could only progress independently would be a definitely retrograde step. If legislation were left to the provinces, there would be many occasions in which a province would have a difficult choice. It would either have to refuse to adopt a salutary reform or run the risk of placing its own industrialists at a disadvantage as against their rivals in another province, and possibly of encouraging industry to migrate outside the province. The difficulties in the way of introducing a shorter working week in industries in one province would be very serious if the same industries in an adjoining province were permitted to work for a longer week. Even if public opinion in every province desired some such reform, industrialists would insist on a guarantee that their rivals would accept the reform before binding themselves to it. Each province would thus tend to wait upon action elsewhere, and all would be at a disadvantage. In more than one connection we have stressed the advantage of co-operation and co-ordination, and we feel that in respect of labour legislation, particularly, co-ordination is one of the valuable assets for progress in India. The position of India in respect of international labour relations has been urged as another ground for keeping labour legislation as a central subject. We do not think that India's treaty obligations involve any insuperable obstacle to the constitutional changes which would result in transferring labour legislation to the provinces; but it is certainly true that India's relations to the world of international labour make it desirable that she should preserve her unity in this matter.

Objections to Uniformity.

On the other hand, the great size of India and the variety of her races, climates, languages, etc., furnish an argument for abandoning the attempt to preserve uniformity. There is no area in the world approaching India in size in which uniformity may be said to be secured in respect of labour laws. In the United States, Canada and Australia, it is the component states or provinces that are mainly responsible for labour legislation. Against this must be set the fact that all these federations were formed by combining states which were independent of each other. The powers of the central authority, therefore, had to be created by subtraction from the powers of the States, and the position was, in consequence, very different. Further, when two of these federations were formed, the subject of labour legislation had not appeared above the horizon, and their experience does not suggest to us that their example is one that could be followed by India with advantage. It is true that in most matters India presents greater variety than any of these federations; but, having reviewed industrial conditions throughout India, we are satisfied that, if Burma is excluded, there are no such variations as would justify the appreciably of appreciably different

standards in different provinces, and the advantages to be gained from closer contact with local conditions do not outweigh the grave disadvantages which the loss of central machinery would bring. Burma, as we have already recognised, presents peculiar problems and, while we are satisfied that it has benefited greatly in respect of labour matters by its inclusion in the Indian Empire, we consider that there is not the same need for the maintenance of uniformity with India as there is in the case of the Indian provinces.

Opinion on the Question.

These considerations appear to be fully appreciated already, for the witnesses who appeared before us were overwhelmingly in favour of central legislation. We met none among Government officials, representatives of employers or representatives of labour who favoured the withdrawal of the power to legislate in respect of labour matters from the Central Legislature. While it was not suggested that provincial legislatures should be deprived of any power which they now possess, the view is widely held that legislation on an all-India scale is ordinarily preferable. We observe that the Reports of the All-Parties Conference of 1928, of the Indian Statutory Commission and of the Federal Structure sub-Committee of the Indian Round Table Conference all contemplate central labour legislation. We also are convinced that the objections to the complete provincialisation of labour legislation are so great that every effort should be directed towards avoiding this course.

Central Authority over Administration.

There are, however, certain difficulties connected with central legislation which must be faced. As a rule those who have given evidence before us have been impressed by the advantages which have resulted from the present arrangement, by which the more important labour laws are passed by the Central Legislature and administered by the provincial Governments. But there are important factors in the present position which are likely to be profoundly modified under any future constitution. In the first place, the Central Government have at present the power of superintendence, direction and control. If in practice this has involved no close supervision over administration, it has been of assistance in preventing the value of legislation being impaired by lax administration. Another factor which has probably been more valuable in securing smooth working has been the tradition of the past. The system of administration was devised in a period when the authority of the Central Government was complete, and the actual administration has remained largely in the hands of men who had been responsible for it prior to the Reforms. The inherent difficulties of the position are also minimised by the fact that the side of the provincial Government which is responsible for administration is not at present responsible to the local legislature. It is impossible to assume that, as these factors change or disappear, the working of a system, which gives responsibility for policy to the centre and for administration to the provinces, will remain unaffected. It seems to

us, therefore, important to ensure that, if the links which do much to hold together the existing structure are removed, there is sufficient assurance that legislation and administration are not completely divorced from each other.

Central Administration.

This need arises in the case of all labour laws, but it is more imperative in some cases than in others. Acts whose essence is the creation of civil privileges or liabilities, such as the Workmen's Compensation Act and the Trade Unions Act, do not demand any intimate relation between the authority responsible for the law and the authority responsible for the administration. Still less is such relation necessary in the case of Acts which merely confer the power to invoke machinery, such as the present Trade Disputes Act. On the other hand, in the case of protective Acts, such as the Factories Act and the Mines Act, it is vital that the authority passing the law should have the assurance that they will be made universally effective. This point could be completely secured by making the law and the administration both provincial or both central. As regards the first of these alternatives, it is important to observe that it is precisely in connection with laws of this type that the need for central legislation is greatest and the peril of withdrawing legislative power from the centre most acute. As regards the alternative of combining legislation and administration at the centre, the centralisation of some machinery and particularly the factory inspection staff, would bring distinct advantages. The present system has led to unjustified variation from province to province in the standard of enforcement of the Factories Act; some provinces administer the Act rigorously and others do not. It may render the factory inspectors at times unduly exposed to local influence. It makes it difficult for the smaller provinces to recruit a satisfactory staff; they cannot offer scope for advancement, cannot look for or properly utilise high specialist qualifications, and are unable to make satisfactory arrangements for leave vacancies. The Central Government are deprived of experts on factory administration, and an inspectorate divided between many Governments cannot get the fullest value from common experience. Occasional or periodical conferences of inspectors can do something to secure the pooling of experience, but they cannot yield the results which are gained by an inspectorate working as a single team. The administration of the Mines Act, which has always been central, seems to us to have gained considerably thereby, and its provincialisation, if that proves necessary, is bound to weaken its force.

Central Legislation and Provincial Administration.

We must recognise, however, that considerations with which we are not competent to deal may make it inadvisable or impossible to move in the direction of centralisation or even to maintain centralised administration where that is at present in existence. If this proves to be the case, we believe that the difficulties of combining central legislation with provincial administration must be faced, as this combination is, in our view, infinitely preferable to the complete withdrawal of legislative power from the centre. So far as we are in a position to

judge, the difficulties involved in this combination are not likely to be confined to the sphere of labour, and we do not doubt that methods can be devised for surmounting them. If the links which have hitherto been effective are weakened or disappear, fresh links will arise and can be created. The development of responsibility in both the central and provincial spheres should prove a useful new bond, and as legislatures become increasingly representative, the tie will be strengthened. We propose later the establishment of special machinery which should go a considerable distance towards meeting the difficulty, and this is not the least of the advantages it is designed to secure. But it will not in itself be sufficient for this purpose, and we would emphasise the need of invoking all such means as are reconcilable with the general principles of the constitution, to make it certain that any legislation adopted is generally effective.

Financing of Legislation.

Another difficulty is that arising out of the financial effects of legislation. Under the present constitution the central legislature can pass laws involving a tax on the revenues of provincial governments without the assent of these governments. The number of factories coming under regulation depends on a central Act; but the provinces have to pay for the necessary inspectors. The Workmen's Compensation Act is a central Act; but the Commissioners whose appointment it required had to be supplied by the provinces. Hitherto the inherent difficulties of the position have not been prominent, mainly because legislation at the centre has not made any demands on the provinces except for administrative expenses which have been, and usually will be, comparatively small. But there is an important field of labour legislation which may involve substantial expenditure on the part of the State. Schemes of social insurance and various forms of social benefit may be linked with State contributions and State grants, and, apart from these, may require the imposition of substantial taxation. While we do not regard these considerations as justifying the withdrawal of labour legislation, even in part, from the Central Legislature, we must stress the importance of avoiding the possibility of the adoption of laws involving large charges on provincial revenues, without the assent of all the provinces affected. There are various means by which this could be arranged, but the discussion of these would take us far outside our proper sphere.

Central and Provincial Legislation.

It is relevant, however, to observe in this connection that the issue, as it presents itself to us, is not whether all labour legislation should or should not be central, but whether it is not desirable that the centre as well as the provinces, should retain the power of legislation. We believe that there is a wide field for provincial legislation. In particular, there are valuable possibilities of experiments in new directions on a provincial scale. On the merits of the whole case, we have no hesitation in recommending that legislative powers in respect of labour should continue with the Central Legislature and that the provincial legislatures

should also have power to legislate. Labour legislation undertaken in the provinces should not be allowed to impair or infringe the legislation of the centre, or its administration. We recognise, as we have already stated, that the main lines of the future constitution in India must depend on considerations outside our scope and that these may be such as to render necessary the modification of our recommendation in favour of central legislation. All we can say, therefore, is that the recommendation is put forward with the conviction that the future of labour in the next generation is largely bound up with it and that, if political considerations stand in the way, the price to be paid will be heavy.

Labour and the Franchise.

The difficulty which confronted us in dealing with the constitutional responsibility for labour arises again in connection with the discussion of the participation of organised labour in the legislatures. The question is of such cardinal importance for the welfare of labour that we cannot ignore it, but it is intimately bound up with other questions which lie outside our province. We consider that we should best fulfil our duty and assist those who have to consider wider constitutional issues by limiting ourselves to a brief statement of what appear to us to be the just claims of labour in this matter and of the advantages that will accrue from their recognition. Dealing first with the latter aspect of the question, we would observe that there are several directions in which the adequate representation of labour should benefit both itself and the community. In the first place, the presence of representatives able to voice the desires and aspirations of labour and to translate these into concrete proposals is essential for the proper consideration of measures specially affecting labour. But the welfare of labour does not depend purely on what may be called labour measures ; its good depends on the whole trend of policy and legislation. More adequate representation of labour is necessary for its protection in this respect and, if given the opportunity, organised labour can make a valuable contribution to the wise government of the commonwealth. Further, the proper representation of labour is itself educative ; the recognition of its claims as a part of the body politic will bring increased responsibility and a sense of unity with the community as a whole. Conversely, exclusion of labour from a fair share in the councils of the nation will inevitably drive it to rely unduly on other means of making itself felt, with injury to itself and to the nation. What we have stated is applicable to labour generally, both agricultural and industrial, and those who have to deal with the representation of labour in detail will no doubt have regard to the whole field. We, however, must confine our suggestions regarding representation to such labour as comes within our terms of reference.

Labour Seats.

The representation of industrial labour can be secured by either general or special electorates. We do not feel called upon to enter into a discussion of the merits of these two systems. They have been considered by the Indian Statutory Commission, the Indian Central Committee

and the provincial committees on the constitution, without any uniform conclusion being reached. We cannot claim to have devoted to the subject the attention it has received at the hands of these bodies, and a proper examination of so wide an issue would take us far outside our terms of reference. We can say, however, with confidence that, if special electorates are to remain a feature of the Indian constitution, there is hardly any class with so strong a claim to representation by this method as industrial labour. As regards the proper strength of labour representation, we cannot make any quantitative proposals in the absence of particulars of the future authority, size and general composition of the legislatures. Industrial associations have been given substantial representation by means of special constituencies, and a number of seats are also given to associations which are partly commercial and partly industrial. Even after the minor reforms made in 1926, industrial labour by comparison with employers has been under-represented. Most of the bodies which have been set up to advise on the future constitution have recommended strengthening the representation of labour, and we urge that, if special constituencies are retained, it should be recognised that labour has not less claim to representation than employers.

Election and Nomination.

The labour seats in the Legislative Assembly and the provincial legislatures, which number 10 in the aggregate, are all filled by nomination. It is generally recognised that the system of nomination is unsatisfactory, and it has evidently been adopted only because of the difficulties of devising a satisfactory method of election. With a system of nomination, the whole educative force of election is lost, and however carefully the representatives are selected by the nominating authority, it is difficult for labour to feel the same confidence in them as it would in elected representatives. Further, the force and authority of the representative himself is weakened by the fact that he has not been elected. We observe that, of the provincial committees appointed to confer with the Indian Statutory Commission, the Bombay Committee favours direct election by members of registered trade unions, while the Bengal and United Provinces Committees favour nomination. The others do not discuss the method of election, but the Madras Committee observes that industrial labour is not sufficiently organised to be separately represented. The Indian Central Committee's report suggests separate electorates for organised labour in all the provinces and in the Central Legislature, without particularising the method of election. Finally, we quote the following from the report of the Indian Statutory Commission under the head "Representation of Labour":—

> "We have made careful inquiries with a view to making adequate arrangements for the representation of labour employed in large-scale industry in various parts of India, but no ready-made solution is available. Mr. Whitley's Commission will doubtless throw more light on a very obscure problem. * * * * * The best suggestion we can make is that in every province the Governor should have the duty of drawing up rules for securing, by the means which in existing circumstances are the best available, labour representation. If the Governor finds that for the present he must still resort to nomination he should consider whether there are suitable labour organisations which he might consult before making his choice".

One member of that Commission, who opposed special representation for particular interests, advocated the introduction of adult suffrage in certain industrial areas.

A Method of Election.

If special representation is to be given to industrial labour, the method which, in our view, is most likely to be effective in securing the return to the legislatures of the best representatives of labour is that of election by registered trade unions. The working of this method should also exercise an important influence on the healthy development of trade unionism. Where only one seat was given, the trade unions might elect the member; where more than one seat was allotted to labour, the unions could either be grouped for the purpose in separate constituencies, possibly according to industries, or they could elect the members jointly. As regards the details, we recommend the setting up in each province of a special tribunal to determine before each election the weight which should be given to each registered trade union. The tribunal might consist of three members unconnected with industry or labour and presided over by a high judicial officer. The Registrar of Trade Unions should not be a member, but should give the tribunal such assistance as they require. The grant of votes should be limited to unions which have been registered for not less than one year, and it would be the duty of the tribunal, after such investigation as was necessary in the case of each union, to determine the actual paying membership and to allocate votes accordingly. We recognise that this method may not be everywhere applicable under present conditions, and, if it was found to be impracticable in any case, recourse would be necessary for a time to some other method. In Assam, for instance, where more effective representation of the plantation workers is required, different methods will be necessary.

Local Self-Government.

In this connection we would observe that the participation of labour in the sphere of local self-government is no less desirable. In the past, industrial workers had no voice in municipal councils and other local bodies, even where they and their dependents constituted the bulk of the population. Recently labour members have been added to the Bombay municipality, but it is still very general for those who are vitally concerned in municipal administration to have no representation on the council. As a result, councils tend to be composed mainly of those who, if their interests do not conflict with those of the workers, are insufficiently acquainted with their needs. The proper representation of industrial labour should lead to more attention being given to health and housing than in the past. It will be difficult to secure the changes in policy advocated elsewhere so long as municipal councils are not made more representative of the population for whose welfare they are responsible. Notwithstanding that it is customary to base representation on the payment of particular taxes, we consider that, where there is a substantial industrial population, it should be allowed to take a share in municipal government. We recommend that it should receive, either by means of a franchise

such as we have already suggested or in some other way, the power to exercise an adequate influence over the policy of local self-governing bodies.

Examination of Legislative Proposals.

We have been dealing hitherto with the machinery for labour legislation, and now turn to a closer examination of the machinery already in operation. The procedure which has been evolved for the consideration of labour measures (and we believe it is applied to most other measures) is interesting. After the idea of legislating in a particular direction has been taken up by the Government of India, the subject is examined in the first instance departmentally. If, after this examination, the Central Government favour the idea or consider that it deserves further ventilation, they issue a circular letter giving their provisional views on the subject and including, as a rule, a fairly full outline of the type of measure they contemplate. This letter is addressed to the local Governments, who are generally asked to consult public opinion in addition to giving their own views. The local Governments then forward copies of the letter (generally without comments of importance) to associations of employers, labour unions, a number of officials and possibly other bodies or individuals. Some of the officials may then refer the letter (also frequently by correspondence) to their subordinates or to private individuals. The bodies or persons consulted then proceed to examine the proposals independently, and written replies containing criticism of the proposals are forwarded to the provincial Secretariat. They are there scrutinised and, in the light of them, the local Government prepares its own reply to the Government of India. With this reply it may forward a selection of the replies it has received. The proposal is then re-examined in detail by the Government of India in the light of all the criticisms. At this stage, as at the earlier stage, it may be referred to the Advisory Committee of the Legislature attached to the department concerned. If, after the various criticisms have been considered, the decision is in favour of legislation, a bill is drafted. Occasionally such a bill has been again referred to local Governments before introduction in the Legislature, but more usually it is published and introduced without further delay.

Procedure in the Legislature.

After this, either Government or a private member may move for the circulation of the measure. If this course is adopted, the Bill is sent to local Governments (and some other authorities) with another circular letter containing brief comments and enclosing the debates, and the Governments are again asked to canvass public opinion. This is done more rapidly than on the previous occasion, but there is no great difference in the selection of the bodies and persons consulted. All the opinions on this occasion, including the replies of the local Governments, go to the legislative chamber by which the bill was circulated, which is usually the Assembly. After circulation (if it has been agreed to) is completed, any bill which is of any importance, if its principles are approved, is referred to a Select Committee and there considered in detail in the

light of the opinions forwarded. After this the measure, as amended by the Committee, returns to the House and passes through its remaining stages. Consideration by the other chamber, re-examination of amendments made there and the assent of the Governor General complete the procedure; but ordinarily some time is allowed to elapse between the passing of the Act and its coming into force. The object of the procedure we have outlined is to ensure that measures are not adopted without the fullest examination of their possible repercussions in every part of India. The immense area to which a general labour law is applicable and the variety of customs and conditions within that area have been brought home to us vividly by our tours, and we recognise the great importance of securing that bills are not passed without a clear recognition of their probable effects in the many places concerned. The evident aim is to secure for Government and the legislature the distillation of the wisdom and experience available in the provinces.

Defects of the Present System.

But in our view, the system is wasteful of time and energy, and does not focus opinion and experience in the best manner possible. So far as time is concerned, the particulars furnished to us of the progress of the labour measures passed in the last ten years show that the process is a slow one, and it seems to have become slower in recent years. The absence of speed in legislation is not, however, the principal defect of the present system. While progress could be secured by other methods with somewhat less delay, it is especially dangerous in India to act without an adequate exploration of the ground. The main weakness of the present system is that the only examination of proposals which most of those consulted are able to make is conducted independently in separate offices. So far as we can judge from the correspondence that has been supplied to us, much of the criticism is destructive, and many opinions are prepared without adequate material or a sufficiently wide view of the subject. It is, indeed, difficult for any one, who is unable to test his ideas in the light of the differing experience of others, to make constructive contributions to a complex proposal. Employers' representatives, workers' representatives and officials all suffer in the process by lack of contact with each other. On at least one occasion in the past contact was secured with evident benefit: the framework of the present Workmen's Compensation Act was devised largely by a committee which included some employers, labour leaders and officials. If representatives of all three classes could be regularly brought together to consider proposals in consultation, the result would be the evolution, in a shorter time and with a great saving of energy, of measures that would rest on a sound foundation of practical experience. The ultimate responsibility for labour laws, as for other laws, must rest with the legislatures, but their deliberations would be greatly assisted if they could be furnished with the collective views of those who, as representing employers, workers and the executive governments, can bring special knowledge to bear on such questions. The bringing to a common point of the experience of these groups should be of material value in the evolution of wise and practical

measures; the views of the wider community can be effectively voiced in the legislatures themselves. The present system looks too much to the official element for the interpretation of these views; this is possibly a survival from the period when the majority in the legislature was not elected.

An Industrial Council.

We recommend the constitution by statute of an organisation by which representatives of employers, of labour and of Governments would meet regularly in conference. The organisation, which might be called the Industrial Council, should be sufficiently large to ensure the adequate representation of the various interests involved, but it should not be too large to prevent members from making individual contributions to the discussions. The determination of the actual size and composition of the Council will require further examination, and this question may need reconsideration after some experience has been gained. On the basis of the present constitution and distribution of provinces, but excluding Burma, we give the following particulars, less as a definite recommendation than as an illustration of the type of body we have in mind.

Government members—	
3 representatives from the Central Government, 2 each from Bengal and Bombay, and 1 from each of the other major provinces, making	13
Employers' representatives—	
4 from Bengal, 3 from Bombay, 2 each from Madras, United Provinces and Bihar and Orissa, 1 from each of the other major provinces and 1 from the minor provinces collectively, making	17
Labour representatives—	
Distributed similarly to the employers' representatives, making ..	17
Railway representatives—	
2 representatives of State railways, 1 of company-managed railways and 3 of railway labour, making	6
Nominated non-official members	4
Total ..	57

The last class should be nominated by the Central Government, who should use it to appoint at least one woman, and might also secure the inclusion of one or two economists or other non-official experts. Official experts, unless they happen to be nominated as representatives of Governments, should be able to attend in the capacity of advisers. In our view the labour members should be elected by registered trade unions, and some such machinery as we have indicated earlier in connection with the parliamentary franchise might prove suitable for the purpose of these elections also. Where no trade unions of any size were in existence, it would be the duty of Government to nominate the labour representative. The employers' representatives should also be elected by associations. Where a province has more than one representative of employers and of workers, it would be preferable to have single member constituencies rather than combined constituencies; but whichever method is adopted, the voting power of employers' associations should be approximately proportionate to the number of workers which their members employ. We recommend that, when the new Constitution is framed, the Council, whether it has

been established by that time or not, should find a place within the constitutional structure.

The Organisation.

The Industrial Council should meet annually, and its venue might with advantage be changed from year to year so as to enable it to visit the leading industrial centres in turn. This would give the members the advantage of seeing industrial and labour developments in other centres than their own and of stimulating interest in labour matters in different provinces. We have considered the possibility of giving the Council a permanent head who would both preside over the sessions and conduct the administrative work of the organisation throughout the year, as in the case of the Agricultural Research Council. But we think it would be better to follow in this respect the example of the International Labour Organisation. Our proposals are inspired partly by the example of that organisation, and we hope that the conference will be able to meet on the smaller stage of India the needs which that organisation was created to supply in the international world. We recommend, therefore, that the President of the Council should be elected by it at each annual session, and that the chief executive officer of the conference, who will be a permanent official responsible to it for the current business throughout the year, should act as the secretary of the Council at its annual conference. We believe that this system would be more economical than providing both a permanent secretary and a permanent president, and that it will better secure the independence of the Council.

Examination of Legislative Proposals.

So far as proposals for legislation are concerned, we contemplate that these will either be referred to the conference by Government or be initiated by the conference itself. It will be the function of the Council to work these out in detail both in committees and in the conference. Unless there is any grave urgency, proposals should ordinarily be considered at two successive sessions of the Council. The first session would prepare a rough draft in order to enable the public to criticise the proposals and the members to review them with their constituents. In the following year, the Council would take its final decision. A Council of this kind should not find it difficult to secure the confidence of the legislature. We should expect some members of the Council also to be members of the legislature, and they would form a useful link between the two.

Co-operation and Policy.

It is not intended that the examination of labour legislation should be the only function served by the Council. Indeed, if developed along the right lines, its biggest service to the country would probably lie in another direction. We do not underrate the value of legislation ; but it has limitations which are apt to be overlooked, and some of the obvious weaknesses in industrial conditions at the present time are not likely to be removed by legislative action. What is required is the spirit of co-operation and understanding among those concerned, and it is this which such a conference should aim at creating.

Each group would be in a better position to appreciate the difficulties of the others, and this appreciation should have a marked effect on industrial peace and development. Nor would the educative value of the Council be limited to the interaction of group on group, for within each group the members would gain much from each other by the exchange of ideas. All over India we found experiments the knowledge of which had not penetrated beyond their original home. A conference would provide an opportunity for the interchange of information on all such developments. Further, the pooling of the representatives' experience and ideas would be the best contribution that could be made towards the formation of a sane and constructive policy in labour matters. The formation of sound policy depends on contact with men rather than with letters or files; on the presentation and criticism of ideas face to face, and on an intimacy with the position of others which the written word seldom conveys.

Rule-making Powers.

There is a third important function which could be fulfilled by a Council of this kind. In much modern legislation, it is necessary for the legislature to leave to another authority the working out of details. This power to legislate in detail is usually delegated to the executive Government, and although the growth of such delegated powers is by no means as extensive in India as in England, most labour Acts confer wide powers on the central or provincial Governments or both. Rules made under the Factories Act and the Mines Act regulate matters of great importance to employers and labour, and the Workmen's Compensation Act not merely leaves most of the Commissioners' procedure and other matters of moment to rules, but confers on the Government of India power to schedule fresh industrial diseases and even to extend the Act to fresh classes of workmen. The Trade Unions Act and the Trade Disputes Act and, indeed, all but the most unimportant Acts are completed by rules which, though usually published for criticism before final promulgation, lie solely within the authority of the executive. We consider that a Council of the kind we have been discussing would be admirably equipped to advise on the framing of rules and regulations which are intended to be of general application. So far as provincial or local rules are concerned, the need of greater uniformity has been stressed in some quarters, and on more than one occasion the Government of India have assisted provincial Governments and encouraged the adoption of common standards by preparing and circulating drafts. By advising provincial Governments, the Council should be able to further the framing of sound rules and the avoidance of variations which are not warranted by local conditions.

Economic Research.

The Council might also play a useful part in the co-ordination and development of economic research. The need for advance in this direction has already been discussed and a Council constituted on the lines suggested would be able to assist and guide efforts in the various provinces. We recognise the difficulty of finding funds for much

statistical work at present, and the extent to which statistics will fall within the province of the provincial Governments and the Central Government respectively is uncertain. But in either case the Council will provide a useful focus for statistical development. The need for securing co-ordination in Indian economic statistics will always remain, and the Council will provide a body of men able to review the needs of India as a whole and to ensure that such resources as are available are utilised to the best possible advantage. If the Council is established, the provincial and central Governments might, at a later stage, when the form of the new constitution is settled, explore the possibility of concentrating their efforts in a Bureau attached to the Council. Even if no such step is taken, the Council might be able to advise regarding the collection of statistics. If a Statistics Act were passed, as we have proposed, the Council should be in a position to scrutinise proposals for the grant of mandates to investigating officers for the collection of statistics, and it might also be able to make suggestions regarding the form in which statistics might be collected.

Provincialised Legislation and the Council.

Hitherto we have been discussing the Council with central legislation in view. If, however, labour legislation is to be decentralised to any extent, the need of some co-ordinating body will be imperative. The withdrawal of the unifying force exercised by the Central Legislature and executive would give much greater urgency and importance to any machinery that can do something towards securing the same end. Indeed, the formation of a Council such as we have proposed seems to us the only feasible way, under a system of provincial legislation, of conserving that unity of purpose and method which is vital to progress. The main question which would arise in that event would be whether the Council should not be given some direct authority. When the constitution of the International Labour Organisation was being framed, it was proposed by the representatives of France and Italy that the Conventions of the Conference should be binding upon the members, *i.e.*, their ratification would be obligatory, whether the national legislatures approved them or not. This idea was rejected as premature. The Commission on International Labour Legislation observed: "If an attempt were made at this stage to deprive States of a large measure of their sovereignty in regard to labour legislation, the result would be that a considerable number of States would either refuse to accept the present Convention altogether, or, if they accepted it, would subsequently denounce it, and might even prefer to resign their membership of the League of Nations rather than jeopardise their national economic position by being obliged to carry out the decisions of the International Labour Conference." In the case we are considering, these objections do not apply, as it would be virtually the existing powers of the centre and not of the provinces which would be transferred to the Council, and there would be no question of placing the national economic position under the control of other powers.

But there are other difficulties in the way of giving the decisions of the Council mandatory power. In the first place, the creation of a body with such authority would make it, in effect, the legislating authority, and legislation would virtually cease to be provincial. Instead of being provincialised, legislation would have been taken away from one form of Central Legislature and entrusted to another. Nor would the change be for the better, for the new body would be less representative of the community as a whole than the old one, it would be less able to assume responsibility for the administration of its own decrees, and it could not be given the power of taxing public funds, so that decisions that involve charges on these funds (and some charge is inseparable from most labour laws) could hardly be mandatory. If it is possible, to keep legislation central, we consider the authority finally responsible for legislation must be the Central Legislature.

Functions of the Council.

If, therefore, authority to legislate in labour matters were withdrawn from the centre in whole or in part, the Council's functions in respect of such legislation could hardly exceed the preparation of legislative proposals for the provincial legislatures and the exercise of such authority as may be delegated to them by legislative enactments. Legislative proposals would be prepared either on the initiative of the Council or on references to them by provincial Governments or Legislatures, and they could be prepared for provincial or general application as the case required. If, in respect of any proposal for the adoption of general legislation, a resolution had the support of not less than two-thirds of the Government representatives, it might be made obligatory for provincial Governments within a specified time to submit the proposals to their respective legislatures for a decision as to their adoption or rejection. We do not advise going further than this. The Council would thus be able to overcome the initial difficulties in the way of translating its desires into action and its composition and outlook would, we hope, make it a powerful influence on public opinion; but the final voice would rest with the members of the legislatures. We would emphasise our view that, whether the Council is dealing with central or provincial legislation, the assistance which it can render the Governments and the community will depend, not on the results of votes but on the actual discussion and on the extent to which members starting with different outlooks can reach common conclusions. While voting may be necessary on a number of occasions, the aim should be to avoid divisions as far as possible. As a minor discouragement to endeavours on the part of employers' or workers' representatives to vote down their opponents with the aid of the other votes, we suggest that votes should be recorded separately in three groups, one including employers' representatives, one workers' representatives and one the remaining members.

Administration and Finance.

The Council will probably find it necessary to set up a small committee for the administration of matters of importance relating to

its work while it is not in session. A committee, including the President for the year and two or three other members, could meet two or three times during the year, if necessary, and would also be available for consultation by correspondence. The main responsibility for the heavy task of preparing the material for each session must rest on the chief executive officer and his staff; but the general supervision of an executive committee would be valuable in securing that the material is prepared in a form acceptable to the Conference, in controlling expenditure and in making arrangements for the sessions. If the future constitution of India makes it at all possible, it would be most desirable that the expenses of the Council should come from central revenues. Otherwise, they must be met by provincial contributions. In the former case, the Central Government and Legislature should control the budget. In the latter case it will probably be necessary to arrange for fixed allotments, *e.g.*, for five years, and this might be settled by representatives of the provincial Governments, after consultation with the Executive Committee or the Council. But the same problem may arise in connection with other co-ordinating authorities, and some other solution may be found more suitable. We do not propose to discuss the procedure of the Council in detail; this must, to some extent, be guided by its evolution and we suggest that it might be left, in part, for regulation by the Council itself. But we invite attention to a study of the methods adopted by the International Labour Conference as giving useful suggestions for the procedure in the early years. A Council constituted as we have suggested would naturally be brought into close contact with the International Labour Organisation. It would obviously be well qualified to advise on the Draft Conventions and Recommendations adopted by the International Labour Conference. There should be little difficulty in establishing a convention whereby the Central Legislature referred the decisions of this Conference to the Council which in turn would forward its conclusions to the Legislature.

Competition of Indian States.

We have referred to the increasing economic unity of India and the need for co-ordination in labour matters. Our enquiry, however, has related only to a part of India, for the Indian States lie outside our scope. But their presence cannot be ignored in considering the problems of British India, for they share increasingly its economic unity and its industrial development and are bound to exercise an important influence on its political development. They lie in some cases close to industrial centres in Indian provinces; but the laws and regulations which protect labour in those centres do not extend across the boundaries of the States. A number of States have copied various Acts of the Indian legislature; but, except in rare cases, their labour laws are substantially behind those of British India. Industrialists not unnaturally feel the danger involved in making advances in British Indian legislation while their rivals within the boundaries of the States remain unaffected by these advances. There is already, in fact, on a small scale, the problem which would face all India if central labour legislation disappeared. In making our proposals

we have had to recognise that it would be a poor service to labour and the country so to raise standards in one part of India as to drive industry into another part where standards are lower.

Effects of Competition.

So far as we have been able to judge, existing legislation has had remarkably little effect in this direction. This is partly due to geographical and climatic features. It is obvious that the location of mining industries and those connected with them and of plantations is determined largely by natural forces. In the case of the railways, the problem does not arise, and a large number of other industries have their choice of location restricted by factors which lie outside their control. While some of these industries exist both in British India and in Indian States, there is no evidence of any handicap arising from differences in labour laws. It is in respect of some of the factory industries that the choice of location is widest. But even here it is difficult to find evidence of any loss sustained by industrialists in British India on account of legislative differences, or any tendency to move to Indian States, at any rate so far as large factories are concerned. In certain centres of British India which lie in close proximity to Indian States, there have recently been important developments of industry which, if industrialists had felt unduly hampered by labour laws, could have taken place across the border. It is worth repeating in this connection that good conditions of labour need not hamper industrial development. The big improvement effected in British India since the war is, in our view, partly responsible for the disappearance of the scarcity of labour which handicapped the factory industries in previous decades. Plentiful and efficient labour will gravitate to places where it receives fair treatment, and many measures for the improvement of conditions are directly profitable to the employer. In respect of small factories, there would seem to have been in one or two limited localities a tendency to develop industry in States to avoid the regulations of British India. For example, in the Punjab there is said to be a tendency to move cotton ginning factories to Indian States to avoid restrictions on hours of work and child labour. In Rajputana the same industry is said to be developing in the States at the expense of Ajmer-Merwara, a very small province surrounded by States. We do not consider that our recommendations will have any general tendency to give an advantage to Indian States at the expense of British India. They are intended rather to lead to a steady and stable development of industry within British India. We must recognise, however, that there are danger points, particularly in respect of very small establishments. The bringing under regulation of those workshops which do not employ power is a case in point. Some of the industries which will be affected by the adoption of our recommendations are not likely to develop in Indian States; but there seem to us to be distinct dangers that, in respect of others, persons will seek to exploit, beyond the bounds of British India, the labour of young children, and that owners working within British India with children of reasonable age may find themselves handicapped in consequence.

Need for Co-operation.

So far as cases of this kind are concerned, we would observe that the need of regulation appears to us to be so imperative as to justify the risk involved. Looking at the matter from the wider point of view, we do not believe that it is to the ultimate advantage of any part of India to permit the working of young children, or any inhumane conditions, and we suggest that, where danger of the kind we have mentioned appears to be real, an effort should be made to obtain the active co-operation of adjoining States. If the considerations which we have endeavoured to set out commend themselves to the people of British India, they should not fail to evoke a response from the Rulers of the States. At the same time efforts at local co-operation will not secure any lasting solution of the difficulty. In discussing the merits of central and provincial legislation, we limited our view to the provinces. But we must point out that even the closest co-operation between provinces is insufficient. So long as there exist side by side areas in which legislation is comparatively backward, there will be a handicap to progress in the rest of India. There are, therefore, good grounds for making labour legislation both a federal and a provincial subject. If this were done, it would be essential in the application of legislation in the States to secure the observance of the principle of gradualness, to which we have referred elsewhere. Any attempt to secure uniformity by a rapid process of levelling up might prove a serious bar to lasting progress. But if there is reasonable security against such a danger, federal legislation offers a more complete solution of the problem than can be obtained otherwise; and we urge that this possibility should be carefully considered. If it does not prove practicable at present, efforts should be directed towards securing that, as early as possible, the whole of India participates in making progress in labour matters. The end should be to reach a stage when, in respect of the leading labour laws, recognised minimum standards are applicable throughout the whole of India.

The States and the Industrial Council.

In our discussion of the Industrial Council, whose establishment we recommend, we limited our view to British India. But we believe that, for those States in which there is appreciable industrial development and which desire to co-operate, the Council would offer a suitable channel for co-operation. It could be enlarged and adjusted to admit of their representatives. It will be necessary to recognise that the difference of standards between British India and Indian States will for some time preclude uniformity in new laws, and it might be necessary for the Council to consider separately proposals for British India and for Indian States and to leave the final voting on such proposals only to representatives of that division to which the proposals are intended to apply. We feel sure that any States which are willing to co-operate will be equally ready to agree that the conclusions of the Council on legislation should automatically receive early consideration at the hands of the competent authority within the State.

Acknowledgments.

We cannot conclude without recording our deep obligation to our Medical Assessor, Lt.-Col A. J. H. Russell, C.B.E., I.M.S. From first to last he has given to us the benefit of his wide knowledge of Indian life and conditions, extending over twenty-four years : over the whole field of our enquiry he has been a wise and trusted colleague, and his contributions to our deliberations and to this Report have been invaluable.

We also acknowledge the help we have received from our Secretaries, Mr S. Lall, I.C.S. and Mr A. Dibdin. The former came to us with considerable knowledge of Indian industrial subjects, and this, combined with a capacity for sustained work, has been of the greatest use to us. The latter has shown unfailing energy, and his diligence in administration has materially lightened our task.

Our whole staff has brought to its difficult, and often exhausting, duties an energy and devotion for which we are deeply grateful. In particular, we must mention our Assistant Secretary, Mr J. H. Green, M.B.E., who was largely responsible for the efficient arrangement of our tours, and the Superintendent of the office, Mr M. Aslam, of whose capacity and courtesy we cannot speak too highly.

Sir Victor Sassoon and Mr Ahmed sign the Report subject to the minutes which follow it. To the minute of the former the rest of us have appended some comments.

All of which we submit for Your Majesty's gracious consideration.

J. H. Whitley, *Chairman.*

V. S. Srinivasa Sastri.

Victor Sassoon.

Alex. R. Murray.

A. G. Clow.

K. Ahmed.

G. D. Birla.

John Cliff.

N. M. Joshi.

D. Chaman Lall.

B. M. le Poer Power.

S. Lall
A. Dibdin } *Joint Secretaries.*

Delhi, 14th March, 1931.

MINUTE BY SIR VICTOR SASSOON.

Preliminary.

Before dealing with the actual subjects on which my views diverge from those of my colleagues, I feel that a word of explanation is necessary in order that my personal position may be made quite clear. Basically there is very little difference of opinion between us. I desire to see the standard of living not only of the industrial but also of the general population in India raised far above the present unsatisfactory level: I desire to see hours of work reduced and those hours occupied more efficiently and intensively: I desire to see a material improvement in health conditions, whether in the factory or in the home. It can fairly be said, therefore, that the divergence of our views does not lie so much in the objects to be attained as in the methods by which they should be achieved and the speed with which these goals should be reached. My European colleagues are naturally influenced by what has taken place in the West and have endeavoured to adopt a procedure tending toward Western ideals: on the other hand my Indian colleagues, perhaps not unnaturally, consider that, if the machinery of the West is introduced in the East, the consequences will be the same in both Hemispheres. In my opinion the long period of experiment and development out of which the present industrial system in the Western Hemisphere has gradually evolved has received insufficient emphasis. Education both of capital and labour and of public opinion is a slow and gradual process; and the assumption that remedies which are the result of a long evolutionary period in the West can be fitted ready-made to India is not justifiable.

Further my colleagues in their desire for statutory reforms have not in my opinion sufficiently stressed the useful part played in this country by the voluntary efforts of employers in the past: they have only resorted to the encouragement of such endeavours in the future where statutory recommendations appear impossible of achievement. I on my side consider that attempts to deal with these economic subjects should be carried out voluntarily as far as possible, and that statutory aid should only be invoked where it is absolutely necessary. India is essentially a poor country and any attempt to bring her labour legislation up to the same level as in Western countries, in effect as well as in intention, can only be achieved by the institution of a large and expensive machinery for inspection which will absorb more revenue than she will be able to afford for many years to come. That such an inspectorate will be necessary if the suggestions of the Commission are carried out is admitted on pages 213-14 :—

> "We here refer to matters such as the slow growth of the spirit of compliance with the industrial law among the smaller and less well organised employers, the ignorance and illiteracy of the workers, the possibility of collusion and the large areas to be covered in the case of scattered industries—all of which tend to make a high annual percentage of inspection essential if enforcement is to be effective".

The steady growth, side by side, of Indian industry and rural population raises a question which merits some attention: there is an

uncollated but nevertheless considerable volume of evidence which tends to show that the press of population on the land is continually increasing. In my view every facility should be given to enable the surplus population to migrate with ease and settle down in the districts where labour is required for industrial purposes.

There is a school of thought among employers which views with sympathy the improvement of labour conditions to whatever point is considered desirable by those interested in labour reform, provided that the extra cost can be covered by the institution of bounties or an increase in protective duties. I am not in agreement with the above view in principle. I appreciate that the increasing pressure on land makes it not only desirable but necessary that industry in India should become sufficiently prosperous to absorb the growing percentage of those born on the land whom the land cannot support; even the most ardent champion of rural industries must uphold any measures of protection necessary to place Indian industry in a position to compete successfully with foreign competition and maintain a steady development: nor can anyone cavil at a policy whereby the standard of living of the industrial worker is kept at a higher level than in agricultural districts. But any policy which raises the cost of the article to the consumer in order that the industrial worker may achieve a standard of living disproportionately greater than that of his agricultural brother, is justifiably open to criticism since it would involve the taxation of approximately 340 million people for the benefit of about two million industrial workers.

Some of the recommendations in the Report with which I am in sympathy are put forward in rather stronger terms than I can subscribe to; nor must I be held to have accepted without reservation all the arguments developed in the Report in favour of recommendations with which I am in agreement. It will be noticed that in Chapter XX my colleagues recommend that access should be available to the workers' lines in the plantations of Assam and that Government should take the necessary action to achieve this end: while I agree in principle that such access should be established, this matter has been and is receiving the attention of the Assam Government. I can visualise possible difficulties to Government in times of political turmoil if such access is uncontrolled in distant rural areas and would prefer to leave the question to the sympathetic consideration of the Government concerned rather than make a strong and definite recommendation.

It will further be noticed that the whole Report is studded with aspirations to the effect that the recommendations will benefit the employer as well as labour. In my opinion only an undue feeling of optimism on the part of my colleagues can justify this view in every case: I am by no means so certain that industry generally will share it. No attempt has been made nor would it be possible to give an estimate of what would be the cost of the various recommendations which my colleagues desire to lay on industry and the community at large, but that this cost would be no small item there can be no question.

Nor am I convinced that the end we all have in view may not be achieved by methods other than those used in the West. A study of the Guild System in Ahmedabad will show how, with no legislative provisions but purely by the harnessing of social forces, the most stringent restrictive regulations were evolved in the past; and there may yet be other methods which have not even been thought of by this Commission.

The ground we have had to cover has been vast, the time restricted, the facts available exiguous and sometimes inconclusive, if not positively inaccurate. Further detailed enquiries would absorb more time and entail greater delay; but it is surely better to proceed cautiously at the beginning than to build on insecure foundations and subsequently patch up mistakes that may have been made.

I should like this Report of ours to be used as a general starting point to be followed by a series of *ad hoc* enquiries on the widely differing subjects with which we have dealt; such enquiries to be instituted after more facts and accurate data have been collected. In the meantime, except where our recommendations are based on fully established facts, statutory measures should be carried out on the most general lines.

Hours in Factories.

The majority of my colleagues have agreed that a reduction of hours from 60 to 54 is practicable and desirable throughout the country,[1] and admit that such a reduction would primarily affect the cotton industry, since this is by far the most important of the industries which still work most of their operatives for 60 hours a week[2].

The argument adduced is that the present ten-hour day is not in reality a day consisting of ten hours' concentrated work. There is, the Commission maintain, a considerable amount of loitering and " In Bombay particularly, the visitor is struck by the large numbers of men who can be found outside the factory building at almost any hour of the day "[2].

My colleagues therefore assert that a ten-hour day should not be worked,[3] cannot be worked,[2] and is not in fact actually worked.[2] Their argument continues on the lines that a shorter and more disciplined working day is preferable to a longer day containing the unauthorised intervals for loitering referred to above.

After consideration of the reduction of the working day from 12 to 10 hours they continue, " As hours are lessened, a point must be reached at which, even if the industry can maintain production by employing shifts, the operatives cannot face a further reduction of earning capacity. But the evidence shows that this stage has not been reached and that,

1 Page 44.
2 Page 41.
3 Page 40.

with a reduction of hours, it would be possible and, if there were co-operation between employers and employed, easy not merely to maintain but to increase the average production per operative employed."[1]

These two sentences contain the kernel of the argument put forward in the Report and it is with the three main points of this argument that I now propose to deal, namely, the effect of the reduction of hours, the possibility of an increase in the efficiency of the worker which will, at any rate, largely counterbalance the restriction of hours, and the reduction of loitering.

The reduction of hours by statute, unaccompanied by any increase in efficiency on the part of the operatives, has one of two direct results—a decrease in wages or an increase in cost of production. The former difficulty is realised by my colleagues who say "It is also necessary to bear in mind the relationship between hours of work and wages, for the standard of living of the factory worker is such as to make any reduction in his earnings a serious matter"[2]. While I agree that his standard of living should at least be maintained, there is evidence to show that the cotton mill worker earns at least sufficient money to enable him to remit sums regularly to his native village. Evidence given before the Banking Enquiry Committee in Bombay elicited the fact that indebtedness is less prevalent in the Konkan District than in any other district in India. This poverty-stricken district provides the cotton mill industry with a large body of workers and the explanation of the freedom from debt of its inhabitants can only lie, in my opinion, in the remittance sent by the workers in the cotton mills of Bombay.

The only practical way in which I can envisage any reduction of hours in the textile industry without dislocation is an attempt to shorten them when the prosperity of the industry is such that a rise in wages is due. Such a rise in wages might, either entirely or partially, be replaced by shortening the hours of work. I cannot conceive that it will be practicable to shorten hours in the textile industry without increasing the rate of wages to a corresponding degree.

Legislation involving a reduction of wages without the possibility of a *quid pro quo* in the shape of increased efficiency cannot be treated as a measure of practical politics at the present time. Strikes in Bombay have been caused in 53 cases out of a 100 during the last nine years by questions of pay, and I have no doubt in my mind that any proposal involving a wage-cut at the present time would probably result in a strike and considerable loss both to millowners and operatives. Where the ten-hour day has been shortened in textile mills the rate of pay for those working on the nine-hour day has been raised, both in the case of the time and piece-workers, to enable them to achieve the same earnings in spite of lower production; and, though theoretically an increase in efficiency may be anticipated to make up for the loss of production due to reduction of hours, in practice this will not be achieved.

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[1] Pages 43—44.
[2] Pages 40—41.

Let us now examine the grounds on which my colleagues think that such an increase in efficiency is probable or even possible. The most striking feature of the Chapter on Hours in Factories is that there is a complete absence of statistics on this question. There is no evidence adduced to show that a reduction of hours below 60 per week has ever resulted in an appreciable increase of efficiency on the part of the workers. Through the good offices of the Bombay Millowners' Association I have been able to submit to my colleagues the results available in Bombay where a shorter shift than ten hours has been tried. (See Appendix to this Note.) I do not pretend that the evidence is conclusive, but it is particularly valuable where a day shift of ten hours and a night shift of nine hours have been worked: results are then more truly comparable than in a case where a mill has gone over from one system to another, when the "sorts" manufactured may have varied and even machinery may have been altered in the interval.

On general grounds also, it may be doubted whether any great measure of increased efficiency can be obtained from the Indian workmen at the present time: to quote the words of my colleagues :—

> "But it must be admitted that the Indian industrial worker produces less per unit than the worker in any other country claiming to rank as a leading industrial nation. The causes of this low efficiency are complex. Some are to be found in the climate of India and other factors; but a powerful influence is exercised everywhere by the low standard of living. Inefficiency is attributable to lack of both physical energy and mental vigour. These are to a large extent different aspects of the same defect, for physical weakness cuts at the root of ambition, initiative and desire."[1]

and on the following page of the same Chapter :—

> "It must also be admitted that ambition is not particularly vigorous with many Indian workers....".

I fancy that my colleagues have fallen into a psychological error with regard to the question of hours of work in India. The subject is one of great difficulty and intricacy. The chief difficulty lies in the complications caused by the differing climatic conditions in this country. The standardisation of hours is rendered more complex by the variations in climate between one province and another, and even between one part of the year and another, in the same province. In other words, hours of work which might appear unendurable in one province might be reasonable in another, and hours of work which might be appropriate in the cold weather might be excessive in the hot weather in the same district.

"Loitering" is a characteristic known to everyone familiar with industry in India and the statement that it is a form of self-defence against overwork[2] is only partially true. Nor is it entirely confined to the cotton industry. The representative of the Chamber of Commerce in the Central Provinces, the representative of the Industries Department of the Government of the United Provinces, the representative of the Central Provinces and Berar Mining Association, the Director of Industries of the Punjab Government, the Inspector of Factories in Delhi and the Chief Inspector of Factories in Madras, all tendered evidence showing that the Indian worker has an innate instinct

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[1] Page 208.
[2] Page 41.

and preference for a slow speed of work. To ignore the existence of this characteristic, whether it be due to climatic conditions and environment or to other causes, is in my opinion to neglect an important factor in the psychology of the Indian worker. The suggestion that the insertion of frequent short intervals[1] might reduce fatigue is one to which I can readily agree, provided that the tendency of the Indian operative to be "slow off the mark" is surmountable.

Had my colleagues recommended that before statutory action an enquiry should be held in order that further evidence could be obtained as to the results of their recommendations, I should have been more sympathetic. Had they asked the cotton industry to make experiments in order to furnish some concrete evidence on which to base such recommendations, I do not doubt that they would have had the support of the industry. After consultation, however, with my technical staff, I feel that I am on sure ground in stating that, where a mill is now run on efficient lines, a reduction of hours will inevitably lead to diminished production, and at the present rate of earnings the reduction of the working week from 60 to 54 hours would result in an increase of 7 to 8 per cent in the cost of manufacture, excluding cotton. To saddle the cotton industry with any further burdens during a period of depression and exhaustion seems to me to be both unjust and unwise.

The Tea Industry in Assam.

The Assam tea planters occupy a peculiar position in India. They have in the beginning, like almost all Indian industries, to induce the agriculturist to leave his home and migrate long distances in order to furnish themselves with a labour force sufficient for their purpose.

There are, however, two striking differences between the tea trade and other industries in India. First, tea-planting is an agricultural and not an industrial occupation; the worker and his family live in the country and frequently settle on their own land. We have been informed that 600,000 ex-garden workers are settled on Government land in Assam occupying an area of 150,000 acres. Secondly, recruiting for the tea trade is not free as in other industries, but is hedged round with restrictions. In the provinces from which a greater portion of the tea planter's labour is drawn he is not allowed to use propaganda in order to induce the worker to migrate to Assam; on the other hand there is nothing to stop the counter-propaganda in those same districts which is vigorously carried on by the Zamindars interested in keeping labour immobile and preventing migration.

The result of this position is somewhat curious. Stories of hardships, disease and restriction of movement which may have been true of Assam in the distant past still persist in the recruiting districts, in spite of the overwhelming evidence that such a state of affairs is now exceptional. The Report states, "We met no one familiar with conditions both in Assam and in the recruiting areas who wished to discourage

[1] Page 46.

migration. It is to be feared that some of the opponents of emigration into Assam were interested in preventing labour from strengthening its position in the recruiting areas. Having endeavoured to examine the question from both ends, the source of the labour and its destination, we are satisfied that the labourers generally improve their condition by emigration ".[1]

The Commission could hardly come to any other conclusion in face of the evidence referred to on page 362 showing how the conditions in parts of Bihar and Madras, for example, from which recruits are drawn are not far removed from slavery.

With regard to the health of the workers in Assam, the Report states that the general standard of the physique of plantation labourers " is certainly higher than that of the population of the recruiting areas ".[2] That there are still unhealthy gardens no one will deny. The tea industry has its black sheep like any other, but during the last five years serious efforts have been made to reduce the incidence of malaria in the gardens by the Indian Tea Association which is said to comprise 90 per cent of the plantations. Where the incidence of malaria is low there is usually no difficulty with regard to recruiting. " In one garden which we visited, where the incidence was very low, it had been unnecessary to do any active recruitment for over twenty years." [3] The Report of the Commission continues, " We believe that the effective control of malaria would bring about a radical transformation in the health conditions of the plantation areas. One result would be to increase the effectiveness and contentment of the existing labour force. In addition less difficulty would be experienced in reconciling labour recruits to the new conditions of life".[3]

Medical opinion as to the best method of abolishing malaria has by no means been unanimous in the past and the persistence of this disease must partly be ascribed to unsuccessful experimentation in this direction. That the planters are taking practical steps to combat malaria is shown by the evidence given before the Commission. Moreover the Indian Tea Association " has made generous grants to the Calcutta School of Tropical Medicines to assist its researches on malaria and hookworm and has also helped to finance the successful campaign against kala-azar ".[4]

The above quotations must convince even the most sceptical that the emigrant to Assam enjoys a change for the better. That there is still a shortage of labour in the tea industry is due, in my opinion, first to the expansion of the industry by 300 per cent during the last forty years, secondly to the counter-propaganda referred to above, which still exists in recruiting areas, and lastly to the fact that many of those who serve the tea industry are able to leave it for a more independent existence.[1]

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1 Page 362.
2 Page 405.
3 Page 406.
4 Page 407.

The income of the worker on the tea gardens, as is usual in agricultural occupations, is derived partly from wages and partly from concessions in kind. In addition to cash earnings he receives free housing, free fuel, free medical attendance, loans free of interest and free grazing. Frequently, but not always, he receives an allotment of land on which he can work during his spare time. He is also generally free from anxiety of unemployment in the future. The local Government state that "it must be remembered that in Assam the demand exceeds the supply and when such a condition exists wages will be comparatively high". Whatever may have been the conditions in the past in this respect, it is admitted that since 1921-22 the consistent policy of the industry has been to assist the garden worker to increase his earnings.[1]

In spite of the situation outlined above, my colleagues advocate the institution of wage regulation in the tea industry in Assam. I do not propose here to discuss in detail the recommendations of the International Labour Office, which do not apply to agriculture, beyond stating they are subject to two basic conditions, (1) that no arrangement exists for the regulation of wages by collective agreement, and (2) that wages are exceptionally low. As to whether wage regulation is desirable or practicable for agriculture in India I have not sufficient knowledge to give an opinion, but it appears to me only right and logical that, if wages are to be regulated in agriculture, there should be in the first place a definite *ad hoc* enquiry on the subject; and it is wrong and unjust in my view to treat a particular industry as a playground for experimental reform unless conditions in that industry are so shocking that their remedy brooks no delay.

Justification for the exceptional treatment of the tea industry is sought for by my colleagues in the peculiar conditions existing in Assam. Their arguments may be summed up under three heads :—

First, the inequality of the bargaining power of the employer and employed as to the wage agreement. This is attributed to the power of the Indian Tea Association, which is said to comprise 90 per cent of the planters.

Secondly, the analogy drawn from the minimum wage system which operates successfully in Ceylon at the present time.

Thirdly, the suspicion still prevalent in the recruiting areas with regard to labour conditions in Assam which the Report maintains would be considerably reduced by the establishment of Minimum Wage Boards.

1. As regards the first point, I would challenge any unbiassed observer to say that even partial equality of bargaining power is common in India. This inequality is a familiar feature throughout Indian industry and is only to be expected in a country where labour is illiterate and has not yet achieved the standard of organisation prevalent in the West. Wages all over India are noted for lack of standardisation and our experience has shown that even factories in the same district pay different

[1] Page 386.

rates for the same work. The tea industry is in a more fortunate position than most other Indian industries in that to a considerable extent there is "standardisation in the matter of wages, as a result of combination amongst employers ".[1]

2. The analogy drawn from conditions in Ceylon will not to my mind bear investigation. The Ceylon tea industry draw their labour from India, under a different Government, and the two countries have come to an agreement with regard to a minimum wage in order that the Government of India may be assured as to the conditions of her emigrants abroad. The conditions are totally different in Assam. This province and the areas from which the Assam tea industry draws its labour force are both under the Central Government of India, and labour should be allowed to flow to and from Assam in the same manner as in other provinces and industries.

3. In my view recruiting difficulties will solve themselves in the near future (*a*) by the improvement of health conditions in the unhealthy areas, (*b*) by the power to use honest propaganda, and (*c*) by the improbability that the expansion of the industry at the previous rate will continue. At the present time economic conditions appear to be such as to make the employment of existing labour rather than the attraction of new workers the problem of the moment.

It is held, however, by some that the Indian Tea Association need not fear the institution of these Boards since under present conditions they will do no more than bring up the laggards of the industry to the general level of the majority. If this is the view of the Indian Tea Association and they desire the statutory institution of these Boards so as to bring into line the ten per cent of the planters who are not in their Association, any objections I may have raised fall to the ground. I am, however, definitely opposed in principle to the establishment of Minimum Wage Boards in any industry except at the request and desire of the majority of the industry even when the principle of their application has been adopted for all India, without a preliminary enquiry on the lines recommended in our Report, namely :—

> " So far as wage rates are concerned, it is desirable to have as full information as possible regarding both the methods of remuneration and the actual rates, including the variation in the latter from centre to centre and from establishment to establishment. When this information is available, it should be possible to say, not merely whether the fixing of minimum wages is desirable, but also whether it is practicable....".[2]

In any case the type of Minimum Wage Board recommended by the International Labour Office, that is to say equal representation of employers and employed with an independent chairman, could not be applied to Assam. Labour in Assam is completely illiterate and totally untrained in negotiation. The proposal of the Commission to substitute intelligent and sympathetic outsiders to take the place of the labour representatives nullifies the system visualised by the International Labour Office whereby the bargaining parties in a trade settle their own affairs under an indepen-

[1] Page 385.
[2] Page 213.

dent chairman. The intervention of any foreign element immediately alters the whole complexion of such Boards.

If the Assam tea industry could have been classed as a "sweated" industry, this exceptional treatment might have been justifiable: but as facts are it seems to me that the proposed imposition of Minimum Wage Boards would be an act of injustice to a trade in which the worker, according to the local Government, "can already earn enough to keep him in health and reasonable comfort."

Conclusion.

The differences between my colleagues and myself on the points under review do not in any way mitigate my respect for their opinions or their judgment. Any discussion of economic problems in India leaves room for a greater divergence of views than would be the case under similar circumstances in Europe; for in India we have been confronted with problems the intricacy of which has been greatly augmented by lack of those well-formed and tabulated statistics regarding industry which are usually available for Commissions reviewing economic and industrial problems. We have undoubtedly been hampered by the unreliability and, indeed, in some cases the complete absence of data: in their place we have found a mass of conflicting opinion. In such circumstances it is not surprising to find that there are some serious cleavages of opinion between us; such dissensions are regrettable but inevitable.

VICTOR SASSOON.

APPENDIX.

Copy of letter dated the 21st February 1931, from T. Maloney, Esq., Secretary, The Millowners' Association, Bombay, to Sir Victor Sassoon, Bart.

I have had enquiries made as to the experience of Bombay Mills which have worked shifts of less than 10 hours during the last few years. To facilitate comparison, I have taken the production for 10 hours as 100 in each case and worked out the corresponding production rate for the shorter shift.

1. *The Toyo Podar Mills.*—This Mill has been running for some months on a day shift of 10 hours and a night shift of 9 hours, and they consider that they had obtained steady working in December last. A comparison for the months of December/January works out as follows:—

Spinning.—Day shift 10 hours' production	100
Night shift 9 hours' production should be	90
Actual production for 9 hours	86·42
Weaving.—Day shift 10 hours' production	100
Night shift 9 hours' production should be	90
Actual production for 9 hours' night shift	89·5

The Toyo Podar Mills make no comments as to the reason for the falling off in the spinning production during the 9-hour shift.

2. *Manchester Mill.*—(December—January).

10 hours' day shift; 9 hours' night shift.

Spinning.—Average production in 10 hours	100
Production in 9 hours should be	90
Actual production in 9 hours	92·9
Weaving.—Average production in 10 hours	100
Production in 9 hours should be	90
Actual production in 9 hours	82·7

Comments.—In this Mill the Spinning Department had been running double shifts six weeks longer than the Weaving Department. The high efficiency in the 9-hour shift in the Spinning Department is accounted for by the cooler working conditions during the night shift, and the less frequent absences from work during the night hours. Whether the Mills will continue to obtain the same results in Spinning throughout the year they cannot say; but they feel confident in asserting that they will continue to obtain a production in 9-hour day shift proportionate to the 10-hour day shift. The Weaving figures are not so satisfactory so far, but this may be due to the night shift of 9 hours having been only recently introduced. The most recent returns from this mill show a nearer approach to the day shift rate of production than those quoted above.

3. *The Apollo Mills.*—(December—January).

10-hour day shift: 9-hour night shift.

Spinning.—Average production in 10 hours	100
Production on 9-hour shift should be	90
Actual production on 9-hour shift	92·3
Weaving.—Average production on 10-hour shift	100
Production on 9-hour shift should be	90
Actual production on 9-hour shift	90·7

Comments.—In this Mill the Weaving Department has been running 9-hour shift for a longer time than the Spinning Department. The Mill Authorities make similar comments as in the case of the Manchester Mills.

4. *The Bombay Dyeing and Manufacturing Company, Limited.*—This Mill worked two shifts of 8 hours for nearly three years, 1921-23. The shifts were from 5 A.M. to 2 P.M. with one hour interval, and 2-15 P.M. to 11-15 P.M. with a similar one hour interval. The Mill reverted to a single shift of 10 hours after 1923.

Spinning.—Average production per 10 hours 1923-25	100
Production 1921-23 on 8-hour shift should be	80
Actual production 1921-23 on 8-hour day shift	76
Weaving.—Average production per 10-hour shift 1923-25	100
Production 1921-23 on 8-hour day shift should be	80
Actual production 1921-23 on 8-hour day shift	75·4

Comments.—The Agents attribute the very poor figures of production in both Spinning and Weaving on 8-hour shifts in 1921-23 as being due in some part to labour shortage and general labour inefficiency during the boom period when the 8-hour shift system was being worked. They also state that there were excessive machinery breakages while the two-shift system was in vogue.

OBSERVATIONS OF THE MAJORITY OF THE COMMISSION ON SIR VICTOR SASSOON'S MINUTE.

Our colleague, Sir Victor Sassoon, has appended a minute of dissent containing a number of general observations and a more detailed discussion of two important questions on which he definitely differs from us. As he observes, " Basically there is very little difference of opinion between us ", and in fact with his practical experience he has made a valuable contribution to the Report.

In respect of the application of Western methods to India, we are fully conscious of " the long period of experiment and development out of which the present industrial system in the Western Hemisphere has been gradually evolved ". If we have not stressed this, it is partly because our recommendations find their justification in Indian needs and are very far from an attempt to copy the methods of the West as they stand. Those who are familiar only with the West are more likely to be struck by the divergence of many of our recommendations

from Western ideals than with their similarity. At the same time, while we have stressed in places the importance of the principle of gradualness, we see no reason why India should not utilise the results of experience elsewhere instead of repeating all the experiments herself.

We must definitely contest the statements in the sentence "Further my colleagues in their desire for statutory reforms have not in my opinion sufficiently stressed the useful part played in this country by the voluntary efforts of employers in the past: they have only resorted to the encouragement of such endeavours in the future where statutory recommendations appear impossible of achievement". The latter assertion is inaccurate; there are a number of recommendations addressed to employers for action which could be secured by compulsion. As regards the view expressed in the former part of the sentence, the report shows in many places the extent to which we have been assisted by the experiments of the more liberal employers, and, as we have stated, "many of our recommendations are no more than the advocacy on a general scale of those ideas of individual employers which have proved successful in application". We have recommended legislation only where, in our view, a necessary reform could not be generally secured by other means; and we would acknowledge again the inspiration we have received from "the voluntary efforts of employers in the past". What our colleague describes as "aspirations to the effect that the recommendations will benefit the employer as well as labour" spring from our deep conviction of the truth of what we say, and from our trust that, in addressing so many of our recommendations to employers alone, we are acting in the manner best calculated to secure their adoption.

Our colleague also points out that "India is essentially a poor country, and any attempt to bring her labour legislation up to the same level as in Western countries, in effect as well as in intention, can only be achieved by the institution of a large and expensive machinery for inspection". A careful reading of our Report will show that we have made no legislative recommendations without giving considerable thought to the question of administration and enforcement. Indeed, many of our recommendations have been conditioned by the very matter stressed by our colleague. By leaving untouched fields which could only be covered at substantial expense, by combining duties and by utilising existing officers to better advantage, our recommendations throughout endeavour to keep administrative costs as low as possible. The quotation which he gives as proving that we admit that "a large and expensive machinery for inspection" will be necessary if our suggestions are carried out is taken out of a passage where, so far from suggesting such machinery, we are emphasising the importance of considering the cost of enforcement before attempting to regulate wages in "sweated" industries.

On the suggestion that our Report should be followed by a "series of *ad hoc* enquiries", we would observe that it has been our policy throughout to make a thorough examination of the different matters with which we had to deal and, wherever possible, to make

definite recommendations. We have so acted because we conceived this to be the purpose for which we were appointed and out of a desire to avoid unnecessary public expenditure.

On the question of hours in factories, Sir Victor Sassoon misconceives our argument. He deals throughout with the effect of a reduction of hours on the industry, but in the sentences he cites as the "kernel" of our argument we are dealing with the effect on the operative; on the other hand he makes no reference to the passage which immediately follows, which is related to the question he discusses. So far as the operative is concerned, the kernel of our argument is in the statement that "a reasonable amount of spare time away from the factory is indispensable for the building up of citizenship, for the development of life, as opposed to mere existence, and for the maintenance of physical efficiency". On this vital question our colleague offers no observations.

So far as the effect of a reduction on the cotton mill industry is concerned, Sir Victor Sassoon's argument appears to be directed against the contention that, if hours are reduced with the existing methods of work, the operative will give the same output. We have nowhere put forward such a contention, nor is it part of our argument. While we believe that, when a shorter day has been in operation for some time, there should be a higher production per hour in many mills and there might be a higher total production in some, the increase that the industry may expect in this direction is probably small compared to that which might be secured by resorting to shifts and by altering the methods of work within the mills. The evidence our colleague adduces, which he himself admits is not conclusive even on the point which he is endeavouring to establish, has no bearing on the possibility of demanding higher standards of working, and, although it cites recent examples of shift working, it makes no reference to their financial effects. The conclusion which he reaches is expressed in the words "I feel that I am on sure ground in stating that, where a mill is now run on efficient lines, a reduction of hours will inevitably lead to diminished production". This statement appears to us to beg the whole question for two reasons. In the first place a mill cannot be regarded as run on efficient lines unless a reasonable standard of efficiency is demanded not merely from the management but also from the operatives, and we doubt if Sir Victor Sassoon, who has himself been a pioneer of efficiency methods, would contend that this is true of any large number of mills. But apart from this, the statement appears to confuse a reduction of hours for the operative with a reduction of hours for the industry. It is only the former that we have advocated; and in the very instances which our colleague cites, the mills, although they shortened the hours for the operatives on one or both shifts, secured a substantial increase in the total working hours.

Our colleague, in suggesting that we have fallen into a psychological error, states that "the chief difficulty lies in the complications caused by the differing climatic conditions in this country" and suggests that "hours of work which might appear unendurable in one province might be

reasonable in another, and hours of work which might be appropriate in the cold weather might be excessive in the hot weather in the same district". The fact is that the arrangement of hours throughout the cotton mill industry is remarkably uniform and shows no consciousness of the alleged difficulties. In Bombay, Ahmedabad, Calcutta, Cawnpore, Delhi, Madras and, indeed, throughout India, nearly all the mills work a 10 hour day in the hot and the cold weather alike.

Sir Victor Sassoon observes " The only practical way in which I can envisage any reduction of hours in the textile industry without dislocation is an attempt to shorten them when the prosperity of the industry is such that a rise in wages is due". A reduction of hours at any time may involve some temporary dislocation ; but we can not subscribe to the view that the reduction should be postponed to such an indefinite future. Reform is likely to be more difficult when the demand for production is keenest, and in some respects, the present time, as we have already shown, is particularly suitable for making a change.

Sir Victor Sassoon has dealt at some length with our conclusions regarding the application of wage-fixing machinery to the tea plantations in Assam. He makes distinctions between agriculture and industry and advances different points of view which we cannot accept. In his opinion wage-fixing machinery should not be set up in Assam until it is first proved that conditions in the plantations " are so shocking that their remedy brooks no delay " or until action is taken on the lines recommended in the Report with reference to Indian industries generally. Having already dealt so fully with the special considerations that have led us to the conclusion that wage-fixing machinery, if practicable, is desirable in the case of the Assam plantations, we do not feel called upon to cover the ground again.

We would point out, however, that, in his survey of the conditions, our colleague has not given due weight to the differences between Assam plantations and other industries, which we regard as of material importance. He admits that recruitment for Assam is not free and that long distances have to be covered by the workers and their families, in whose recruitment large sums of money are being expended by the industry. But no mention is made of the fact that, under existing conditions, it is difficult for workers and their families to find their way back to their villages, should they so desire, without the consent and assistance of their employers. Nor is any reference made to the fact that, in the case of the great bulk of the plantations, it is difficult for any worker and his family to change their employment from one estate to another without the consent of the employer. Keeping in view, also, that wages are determined by the joint action of employers in a manner unknown in industries generally, we regret we cannot agree with our colleague as to the conditions and circumstances which alone would justify, in his opinion, the application of wage-fixing machinery in Assam.

As regards Sir Victor Sassoon's remarks on the subject of the inclusion of intelligent and sympathetic outsiders on Minimum Wage Boards, we have dealt with this fully in the Report. There we pointed out

that it is a generally accepted practice for "outsiders" to represent the illiterate workman until he has reached a more advanced stage when he can select his own representatives.

MINUTE BY Mr K. AHMED, M.L.A.

I sign this Report, not because I think that the recommendations are adequate and will remedy all the grievances of the industrial workers in India, but because I believe they are calculated in some degree to bring about an amelioration of the present situation. It is again in this sense that I subscribe to all the recommendations made by my colleagues Messrs. Cliff, Joshi and Diwan Chaman Lall.

In regard to Chapter XI which deals with seamen, however, I must make the following recommendations :—

(1) The evils in the present system of recruitment of seamen have been sufficiently stressed in the Report, so that they need not be recapitulated here. The complete inadequacy of the present system of recruitment, the bribery to which it gives rise and the consequent indebtedness, misery, and general demoralisation, call for even more stringent regulation than the majority of my colleagues are prepared to recommend. I therefore suggest that future recruitment should be effected only through free Employment Bureaux set up by the Government in the more important recruiting ports.

(2) I cannot agree to the interpretation of our terms of reference which takes away from our purview conditions of seaman on ships registered outside India. If the foreign shipping companies have any branch offices in India, and the Articles of Agreement are signed either in these branch offices or in the Employment Bureaux, the establishment of which I have recommended, then I consider that it will be perfectly within the jurisdiction of the Government of India to regulate the condition under which such foreign companies engage Indian seamen. My second recommendation, therefore, is that the officer-in-charge of the Government Employment Bureaux should draw up model Articles of Agreement detailing hours of work, and living conditions on board, and that these Articles signed by the representatives of the shipping Companies and by the seamen on Indian soil; Indian courts should have jurisdiction in the matter of enforcing these agreements. In addition the working hours on board ships must be curtailed as otherwise it will lead to the physical deterioration of Indian seamen. Provision must also be made in the Articles of Agreement for proper accommodation of the seamen on all ships and steamers, for the supply of free cooking pots, eating utensils, beds, pillows, blankets, soap and towels and proper mess-room accommodation.

(3) I am satisfied that the great disparity between the wages paid to Indian seamen and to the seamen of other nationalities is not economically or ethically justifiable. I am prepared to concede

that there may be a certain difference in the quality of the work of these two classes of seamen, but this is largely accounted for by the difference in wages and general amenities offered to them. I therefore urge that speedy efforts should be made to bridge the difference between the two scales of wages, and that this should be done by gradual increases in the rates now payable to Indian seamen.

Special Questions Relating to Workers in Inland Navigation.

In inland navigation there are about 40,000 men employed in Bengal, Bihar and Orissa, Assam, Burma and other places. There is a great deal of unemployment among them, and any number of men can be recruited at any time without any difficulty. They are recruited by the *serangs* and " drivers ", and there exists a great many abuses in the method of recruitment. The *serangs* and *maistries* who recruit them not only give them bad food, but keep to themselves a part of their wages. They do not get a living wage the year round. They have absolutely no direct connection or relationship with the employers and they always remain dependent on the *serangs* who treat them as chattels. There are no fixed times of work, but generally they have to remain on board. In the ferry services the crews have to be on duty from 6 o'clock in the morning to 8-30 in the evening while the steamers are being plied from station to station. In addition they have to be on board the steamer an hour before 6 o'clock and similarly an hour longer after the steamers stop plying at 8-30 P.M. (*vide* also the evidence of Sir Charles Stuart-Williams, Chairman of the Calcutta Port Trust). I hope, under the circumstances, that the Port Commissioners at the ports of India and Burma will take sufficient steps to ameliorate the conditions of this class of seamen and remove the grievances set forth above.

As it was considered by the Chairman that the conditions of the crews of the military and marine launches in the Royal Indian Marine at Calcutta are beyond the scope of the enquiry, I recommend that the Government should investigate the conditions of life and work of the crews of these launches both at Calcutta and Bombay. It appears that they have been serving continuously for the last 25—30—35 years and yet they do not get any pension, gratuity, leave, uniforms, or other benefits corresponding to those granted to the Port Commissioners' men and to those of the Bengal Government doing similar work.

I do not agree with the observation made in Chapter XVI at pages 299—301 with regard to the applicability of the Workmen's Compensation Act for injury and loss of life to Indian seamen engaged on ships registered outside India, nor do I agree that the principle of International Law can debar claims for such damages in any court in India by the seamen's relatives or dependants, since the seamen are recruited on Indian soil under the supervision of the shipping master appointed by the Government of India. I have recommended that seamen's Article of Agreement in all cases should be signed on in the Employment Bureaux at the shipping office and not on board the ship, and

I would also insist that the printed forms of agreement supplied by the shipping office should include a clause entitling a seaman to enforce his claim for compensation in any court in India in the same manner as other claims such as a claim for arrears of salary, etc.

K. AHMED.

APPENDICES.

APPENDIX I.

SUMMARY OF RECOMMENDATIONS.

This summary was prepared by the Secretaries after the Commission had dispersed. For authoritative statements of the recommendations reference should be made to the text of the Report.

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CHAPTER II.—MIGRATION AND THE FACTORY WORKER.

1. In present circumstances, the aim should be to maintain the factory worker's link with the village and, as far as possible, to regularise it 20

CHAPTER III.—THE EMPLOYMENT OF THE FACTORY WORKER.

2. (*a*) Jobbers should be excluded from the engagement and dismissal of labour 24

(*b*) Wherever the scale of the factory permits it, a labour officer should be appointed directly under the General Manager. His main functions should be in regard to engagements, dismissals and discharge 24-5

(*c*) Where it is not possible to employ a whole-time labour officer, the manager or some responsible officer should retain complete control of engagements and dismissals 25

(*d*) Employers' associations in co-operation with trade unions should adopt a common policy to stamp out bribery 25

3. Where women are engaged in substantial numbers, at least one educated woman should be appointed in charge of their welfare and supervision throughout the factory. She should be remunerated on a salary and not a commission basis and should be responsible to the labour officer or, if there is no labour officer, to the manager for the engagement and dismissal of all female staff 26

4. Workers should be encouraged to apply for definite periods of leave and should go with a promise that on their return at the proper time they will be able to resume their old work 26

5. Wherever possible, an allowance should be given to the worker who goes on leave after approved service 27

6. The education of the industrial worker should receive special attention, but, in preference to concentrating on the education of half-timers, employers should try to develop the education of their workers' children in their factory schools 28

7. In applying compulsory education,

(*a*) municipalities should have regard to the special claims of wards inhabited by mill workers;

(*b*) it is desirable that the upper age-limit should be brought up to at least 12 years; and

(*c*) employers might assist by lending buildings, by equipping schools and in other ways 29

8. The textile industries should endeavour to secure apprentices with a preliminary education 30

9. The Indian Jute Mills Association should combine to maintain a part-time school for selected adult and adolescent workers. Wherever there is a concentration of industry, the possibilities of similar co-operative action deserve examination by employers 31

10. Where any comprehensive scheme for reducing staff is contemplated in an industry, the introduction of a joint scheme of unemployment insurance, *e.g.*, the one outlined by the Fawcett Committee of 1928-29, should be considered 35

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11. Government should examine the possibilities of making preparations to deal with unemployment when it arises, and of taking action where it is now required, on the lines of the system devised to deal with famine in rural areas 36

CHAPTER IV.—HOURS IN FACTORIES.

12. The weekly limit of hours for perennial factories should be reduced to 54 and the daily limit to 10 44-5

13. Factories working on continuous processes or supplying daily necessities may be allowed a 56 hour week, subject to an average week of 54 hours for the operative and to conformity with the provisions in respect of holidays 45

14. The statutory intervals should ordinarily amount to not less than an hour in the aggregate. Employers should be at liberty to distribute this hour in such periods as they think best after consultation with the operatives and subject to the sanction of the Chief Inspector of Factories 46-7

15. Spreadover

(a) for individual adults: should not exceed 13 hours;

(b) for men: this need not be limited to the calendar day and may be subject to exemptions in the interests of the workers and acceptable to them;

(c) for women: no exemptions should be permissible and the rest period should include the hours between 10 P.M. and 5 A.M.; and

(d) for children: should not exceed 7½ hours and the rest period should include the hours from 7 P.M. to 5-30 A.M. 47-8

16. Local Governments should have the power to control overlapping shifts 51

17. Special and continuous attention should be given by the Government of Bengal and its officers to the evil arising out of the double employment of children 52

18. The maximum daily hours for children should be limited to 5 52

19. Employers should arrange to give children at least one rest interval 53

20. (a) Persons between the ages of 15 and 16 years should not be employed as adults without a medical certificate of physical fitness 53

(b) Their employment should be prohibited when women cannot be employed 54

21. The minimum rate for overtime should be 1¼ times the normal rate where work exceeds 54 hours a week, and 1½ times the normal rate for work in excess of 60 hours a week 55

22. Exemptions

(a) should be based on more uniform standards throughout India;

(b) should be for specified periods with a maximum of three years;

(c) should be reduced to the smallest dimensions possible; and

(d) should carry with them, wherever possible, some benefit, not merely monetary, to balance the deprivation involved .. 55

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CHAPTER VI.—SEASONAL FACTORIES.

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68. The inspection of cotton-ginning factories and other seasonal factories should be largely carried out by part-time inspectors. Officers of the grade of Industrial Surveyors should not be employed for this purpose. Selected revenue officers of suitable grade should be given a short course of instruction under the Chief Inspector with a view to their employment in districts where such factories are found. This system should not apply to tea factories in Bengal and Assam. Regular forms should be prepared by the Factory Inspection Department for issue to part-time inspectors and a copy of the report of each inspection should be submitted to the Chief Inspector of Factories 88-9

CHAPTER VII.—UNREGULATED FACTORIES.

A.—Small factories using power.

69. In the case of factories using power and employing less than 20 but not less than 10 persons, only the following sections of the Factories Act should apply automatically :—

Section 5, Chapter III (excluding sections 12 and 15), section 37 and the appropriate parts of Chapter VIII with section 50. Local Governments should retain the power of applying the whole Act by notification, and should be given power to apply selected sections to any such factory 93

70. Local Governments should be given power to apply the sections specified above to similar places employing less than 10 persons where conditions are dangerous 93

71. The "number employed" for this purpose should be the aggregate number employed for any part of the 24 hours 93

B.—Factories not using power.

72. A separate Act, brief and simple, should be passed to apply to factories, without power machinery, employing 50 or more persons during any part of the year 100

73. The starting age for children under this Act should be 10 years in the first instance, and protection in the matter of hours should be confined to children between 10 and 14 years 101

74. Hours of children should fall within limits to be specified by local Governments, but in no case should the working hours exceed seven, nor should they fall outside a period of nine hours, with a rest interval of at least one hour. The overriding maxima should be embodied in the Act 101

75. No child who has been employed full time in a factory should be allowed to work overtime or to take work home after factory hours 102

76. The expediency of penalising the giving of advances to secure the labour of children and the execution of bonds pledging such labour should be examined by Government. In any case a bond pledging the labour of a person under 15 years executed for or on account of any consideration should be void.

The above recommendation is general and not confined to factories mentioned in this chapter 102

77. Every factory of this class should be entirely closed on one day of the week to be specified beforehand by the local Government. Subject to particular exemptions the closing day should be the same for all factories in the same district 102-3

78. The Act should require the observance of suitable standards in regard to buildings, latrines, ventilation, lighting and drainage, and might empower local Governments to apply welfare orders of a simple nature 103

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79. Local Government should have power to extend any of the provisions of this Act to factories employing less than 50 persons: this should be done forthwith in the case of offensive trades: the power should also be exercised in the case of industries, classes of establishments and individual establishments employing an appreciable number of young children or where larger places have been broken up to escape regulation .. 103

80. A time limit of five years should be put on the Act at the expiry of which Government should be prepared to make a further advance .. 104

81. Both classes of establishments dealt with in this Chapter should be required to register themselves with the Factory Inspection Department 104

82. Inspection, which need not be heavy, could be largely carried out by part-time inspectors, *e.g.*, municipal health officers, sub-divisional magistrates and others, co-ordinated by the Chief Inspector in consultation with the medical authorities. Where whole-time officers are needed, a new grade of assistant inspector might be utilised 104-5

83. The policy of gradualness which underlies the proposals made for legislation should also influence its enforcement 105

CHAPTER VIII.—MINES.

84. In the manganese mines in the Central Provinces, steps should be taken to apprise the workers of the repeal of the Workmen's Breach of Contract Act 107

85. At Khewra

(*a*) The employment of ticket-of-leave men should be re-examined 108

(*b*) Workers and hours should be effectively checked, and numbers controlled 108

(*c*) Committee should be elected to represent the workers .. 108

(*d*) The sanitary condition of the workings and the settlement should be brought up to a reasonable standard .. 109

(*e*) Latrine accommodation should be provided near the entrance of the mine and improved latrines underground .. 109

(*f*) Sanitary staff should be provided and placed under the Medical Officer 109

(*g*) Engagement of fresh women workers should be discontinued .. 127

86. At Namtu and Bawdwin

(*a*) A labour officer should be appointed and should direct his attention to the formation of works committees .. 110

(*b*) Government should frame regulations for the prevention of lead poisoning 110

(*c*) The omission of certain sections of the Factories and Mines Acts as applied to the Shan States should be reconsidered 111

87. In the oilfields statutory regulation of rest days, hours, health and safety should be undertaken. Government should consider whether this can be achieved by the application of appropriate sections of the Mines Act or by separate legislation 112

88. A separate Inspector of Mines and Oilfields for Burma should be appointed 112

89. The Mining Industries Act 1926 should be examined for the purpose of considering how far similar provisions would help to systematise mining leases 114

90. The coal industry should aim at eliminating recruiting costs .. 118

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91. On land away from the collieries new tenancies with colliery service as a condition should be made illegal and existing tenancies examined by Government to see whether they can be equitably converted to rent holdings 119

92. The raising contractor in coal mines should be gradually superseded by direct or sarkari working 120

93. A Labour Officer should be appointed in each important mine .. 120

94. Managements should arrange for wages not to be paid on a rest day: failing such arrangement Government should prohibit the practice 121

95. Underground pieceworkers should be credited for purposes of payment with a minimum output for each shift worked, not exceeding the normal daily output of a man of average skill and industry. This standard output should be fixed by Mining Boards with rules to prevent abuse 122

96. Mining Boards should examine the question of securing greater uniformity in size of tubs and of ensuring that remuneration bears a closer relation to output: the possibility of check-weighing in larger mines should be explored 123

97. Registers for metalliferous mines should be improved .. 125

98. As recommended by the Select Committee on the Amending Act of 1928, the hours of work underground should be reconsidered when that Act has been in operation for 3 years 126

99. Weekly hours above ground should be limited to 54 126

100. Employers should experiment with 10, 9 and 8 hour shifts during the period before the Act is re-examined 126

101. Permissible loads for women should be prescribed in quarries where depth and lead exceed a certain standard. Both load and standard of depth and lead should be fixed by the Mining Board .. .. 12[illegible]

102. (a) Employers should reserve vacancies occurring among surface workers for women excluded or about to be excluded from underground workings 128

(b) The system of selecting women for exclusion from undergound workings should be considered by employers, workers and the inspectorate jointly 129

103. No child under the age of 14 years should be permitted to work in or about the mines 129

104. Minor accidents should be reported weekly to Chief Inspector through District Magistrate 130-1

105. The ordinary miner should be encouraged to qualify in first aid 131

106. Workers should have the same number of nominees on the Mining Boards as employers, and they should be chosen after consultation with the workers' organisations where these exist 131

107. In section 22 of the Mines Act the word 'shall' should be substituted for 'may' 132

108. The Chief Inspector should confer with representatives of employers and workers when the law is substantially changed .. 132

109. The needs of the inspectorate in consequence of new legislation should receive early and sympathetic consideration 132

110. The Jharia and Asansol Boards of Health should be called Boards of Health and Welfare and each should be enlarged so as to give increased representation to employers and to include representatives of the workers chosen where possible in consultation with their organisations, and at least one woman member 133

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111. A resident medical officer with public health experience should be appointed at Giridih, and the health staff completely re-organised 134

112. Compulsory primary education should be introduced in the coalfields 134

113. Percentage grants might be given to Boards of Health and Welfare for approved activities in relation to health, welfare and education 134

114. The Salt Department and the Punjab Government should co-operate with a view to the introduction of compulsory education in the Salt Range 135

CHAPTER IX.—RAILWAYS.

115. Registers should be kept of all workers appointed to the engineering department, appointments and dimissals being reported for entry. The registers should be examined regularly by administrative and personnel officers 139

116. Similar procedure should be adopted for the transportation and commercial departments 139

117. The system of selection boards or committees should be used for selecting firemen, shunters and drivers for appointment and promotion, and should be put into force on all railways for both recruitment and promotion of categories classed as literate and those in which employees start as apprentices 139

118. Sons and near relations of railway servants have a special claim to enter the service and wherever possible facilities for suitable education and training should be afforded them 139-40

119. In mechanical workshops the system of recruitment through labour bureaux is capable of development and together with the system of selection boards or committees would go far to remove grounds of complaint of favouritism and bribery in regard to recruitment and promotion 140

120. All new entrants should be handed a printed statement of their duties and rights in the service, with a specific warning as to bribery .. 141

121. (a) Workers required, after confirmation, to undergo a further medical examination should have the right to be examined, if they desire, by an independent specialist.

(b) Should a worker be adjudged medically unfit for a particular post, every effort should be made to find him other work .. 141

122. In regard to racial discrimination, definite steps should now be taken which will lead in a specified term of years to the progressive elimination of any form of discrimination as regards both appointments and promotions to all grades and classes 143

123. The whole subject of the leave rules should continue to be examined in consultation with representatives of the workers .. 144

124. The Administration should endeavour to maintain leave reserves adequate to meet requirements spread over the year 145

125. The claims of low-paid workers to improved wage standards should continue to receive careful consideration from the Railway Board and the Administrations 150

126. After 12 months' continuous service, all employees should be monthly rated and as soon as possible made eligible for all service privileges which that carries 150

127. Enquiries now in progress should be extended to cover the comparative merits of the system of time-scales and that of beginners' rates increasing within a short period to fixed standard rates .. 150

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128. Additional steps should be taken to fix standard rates for similar classes and grades, subject only to variation in districts where there are material differences in economic conditions 151

129. On completion of one year's continuous service, all employees should be eligible to join a provident fund, membership being optional for those drawing under Rs. 20, compulsory for those drawing Rs. 20 or over per mensem 152-3

130. The limitation on the grant of retiring gratuity to subordinates retiring after 15 years' qualifying service should be modified to permit of voluntary withdrawal from the service subject only to adequate notice 153

131. In regard to debits, an effort should be made to arrive at the root cause of the trouble and to see how far it is due to faults in rating and routeing methods and how far to inefficiency on the part of the staff: careful analysis of numbers and amounts should be made with a view to the adoption of changed methods of disciplinary action. Pending enquiry a system of maximum amounts, related to pay, with definite periods for recovery, might be adopted 153-4

CHAPTER X.—RAILWAYS—(*Contd.*).

132. The weekly rest of not less than 24 hours provided under the Act of 1930 should be granted subject to the usual emergency exceptions to all continuous workers as soon as necessary arrangements can be made 158

133. (*a*) Special efforts should be made to put into operation as soon as possible the regulations devised to give effect to the Washington and Geneva Conventions in the case of railway employees .. 159

(*b*) It should be possible after consultation with the workers to arrive at an understanding regarding the general lines of classification of essentially intermittent workers 159

(*c*) The Railway Board should reconsider the practicability of reducing the hours for intermittent workers and of giving days of absence at reasonable intervals where weekly rest days cannot be given 159

134. As soon as experience of the altered hours is available, the case of individual branches should be examined in turn to determine to what extent the prevailing hours need reduction; action should be taken thereafter on all railways to secure the reduction necessary 159

135. All classes of workers should enter into a simple service agreement providing for:—

(*a*) Probationary period of 12 months.

(*b*) Confirmation after 12 months' approved continuous service.

(*c*) Confirmed service to be terminable on one month's notice.

(*d*) A declaration that service is liable to termination in any of six specified circumstances 161

136. The power of terminating service should reside solely in the district or divisional officers or officers superior to them 161

137. A confirmed employee charged

(*a*) with an offence which if proved may involve dismissal or discharge should be given a charge sheet, returnable with his explanation within 7 days;

(*b*) The competent officer (district, divisional or superior officer) may make enquiry and, if the case is to proceed may summon the employee before him;

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(*c*) The employee should be entitled to be accompanied by the representative of an accredited trade union of which he is a member or by a fellow workman.

(*d*) Time limits for disposal should be fixed and the power to suspend should remain.

(*e*) Men overstaying leave or absent without leave except in a genuine case of sickness should be presumed to have left the service and to have forfeited the right of appeal, subject to the discretion of the competent officer .. 161-2

138. (*a*) Appeal against discharge or dismissal should lie to the head of the department or Divisional Superintendent with final appeal to the Agent except where dismissal involves loss of provident fund bonus when further appeal should lie to the Railway Board.

(*b*) Facilities for representation on appeal should be the same as at the first hearing.

(*c*) The time limit for further appeal should be one month from the time the decision is notified ; within this time no appeal should be withheld 162

139. In less serious cases a charge sheet should also be given returnable within 7 days. Appeal against the order then issued should lie to the district or divisional officer with right of representation as above. This appeal should be final except in case of reduction of grade when appeal should lie to the head of the department or Divisional Superintendent 162

140. Proper records of disciplinary action should be kept, and watched by personnel officers 162

141. (*a*) Discharge on reduction of establishment should be differentiated from disciplinary or inefficiency cases.

(*b*) Other things being equal, the principle of seniority should apply.

(*c*) Registers of discharged men should be kept.

(*d*) Where more than 100 men are affected, recognised trade unions should be informed as early as possible and reasons given .. 162-3

142. Proper leave records should be kept 163

143. Records should be kept of temporary service where practicable with a view to priority for permanent employment 163

144. Channels for appeal in regard to conditions of service should be made uniform : local or district and divisional committees and railway councils are suitable channels for dealing with grievances ; establishment officers are of assistance and should be appointed on all railways .. 164

145. A more generous policy in respect of recognition of trade unions is desirable 166

146. A stage has been reached in the development of some unions where facilities might with advantage be conceded 167

147. Joint Standing Machinery should be established.

(*a*) A Joint Standing Central Board, containing representatives of the Agents and workers in equal proportions elected by the Indian Railway Conference Association and the All-India Railwaymen's Federation respectively charged with the consideration and, when possible, settlement of—

(*i*) general questions common to all railways,

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(*ii*) matters common to one or more grades where agreement has not been reached in Railway Councils, which would come up automatically, and

(*iii*) references from Railway Councils.

Where a dispute is apprehended and cannot be settled on the Railway Council it should be referred automatically, it being agreed that no stoppage shall take place meanwhile 168

(*b*) Failing agreement on the Joint Standing Central Board, if either party desires, the dispute should be referred to a Tribunal of five representatives from either side of the Board and five persons from outside 168-9

(*c*) Each railway should have a Railway Council working in conjunction with divisional or district and local or works committees. All workers should be eligible for election but where there is a recognised union, workers' representatives on committees should be entitled to assistance from an officer of the union. On Railway Councils the union should be consulted as to constitution and direct representation of the union : failing agreement the Central Board should advise 169

(*d*) The Central Board should consider the constitution and functions of the various bodies 169-70

(*e*) Meetings should be held at regular intervals and, where possible, time limits fixed for each stage 170

(*f*) Printing and publication of verbatim reports at any stage is not advised 168

148. Departmental labour should be substituted for contract labour wherever practicable 170

149. Railway Medical Officers should be precluded from private practice except in case of families of railway servants 171

150. The importance of public health qualifications should be recognised : Chief Medical Officers in particular should be required to give more time to inspection 171

151. The medical department should have executive charge of sanitation and health 171

152. The functions of local and sanitary committees should extend to welfare work and, wherever possible, each committee should include a proportion of elected representatives 171

153. In regard to statistics,

(*a*) nomenclature should be standardised ;

(*b*) figures should be available (*i*) of salaries and wages separate from provident fund contributions and gratuities (*ii*) of contractors' labour in different branches ;

(*c*) Statistics of labour turnover, and absenteeism (showing whether due to sickness or otherwise) should be maintained and analysed 172

CHAPTER XI.—TRANSPORT SERVICES AND PUBLIC WORKS.

Seamen.

154. (*a*) For a period of 12 months no fresh continuous discharge certificates should be issued, unless the Shipping Master is satisfied that the recruit is required for employment and that suitable men are not already available ;

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(b) Thereafter continuous discharge certificates should be issued only to persons for whom posts are available and unnecessary recruiting should be discouraged ;

(c) If necessary, after a suitable break there should be a further period of 12 months in which recruitment is again restricted .. 179

155. Shipping Masters should be authorised forthwith to exclude from the register all seamen who have not been in employment for a period of three years and, to begin with, a seaman should be struck off the register automatically on the expiry of three years from his last discharge. The period of three years should be steadily reduced to 18 months, but the latter period may be altered, if necessary, in consultation with representatives of shipowners and seamen 179-80

156. Shipping companies should have liberty of choice from men who have been in their employment within a specified period. To begin with, this period should be 2 years, but it should be steadily reduced to 9 months. This latter period may also be altered, if necessary, in consultation with representatives of both sides 180

157. If a shipowner is unable to fill his crew from those of whom he is entitled to make free choice, he should be required to take men selected from the register by the Shipping Office 180

158. The licenses granted under section 24 of the Indian Merchant Shipping Act should not be renewed 181

159. (a) Shipping Masters should encourage seamen to use the provisions of the Indian Merchant Shipping Act relating to the allotment of wages ;

(b) The shipping office should remit the amount of the allotment by money order ;

(c) The maximum limit of allotment should be raised to two-thirds of the seamen's wages 181

160. Government should enquire into the alleged delays between signing on and actual engagement and between discharge and final payment. The possibility of reducing the maximum period for the payment of wages on discharge and also of signing on taking place in the Shipping Office should be considered 181-2

161. Consideration should be given to the provision in ports of welfare institutions for Indian seamen 182

162. The Governments of Bengal and Burma should undertake an enquiry into the conditions of employment on inland steam vessels .. 183

Docks.

163. The practice of nominating a representative of labour on Port Trusts should be extended to all the major ports 184

164. With a view to decasualisation and to secure more equitable distribution of employment, a system of registration of dock labour should be introduced in each of the main ports, supervised and controlled by the port authority assisted by representatives of shipowners, stevedores and labourers 186

165. (a) Local Governments should be empowered by law to frame safety regulations for docks ;

(b) Chief Inspectors of Factories should be consulted and should be responsible for enforcement ;

(c) Regulations should provide for the reporting of serious accidents 187

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166. (*a*) The normal daily hours prescribed by law should be nine, with overtime permissible up to three hours;

(*b*) Payment for each hour of overtime should be required at not less than 33⅓ per cent over the ordinary rates;

(*c*) The minimum age of employment should be raised to 14 years;

(*d*) Enforcement should be entrusted to the factory inspection department 188-9

Road Transport.

167. Tramway companies should endeavour to restrict working hours to 54 a week and so to arrange the hours of duty as to compel the workers to take one day's rest in seven 190

168. In granting licenses for motor buses, the authorities should consider whether, in particular cases, a limitation on hours is required, and if so, how it can be enforced 190

Public Works.

169. Public Works contracts should stipulate :—

(*a*) the wages to be paid, and

(*b*) a minimum age for employment not less than 12 years .. 192

170. In regard to large construction works whether carried out departmentally or by contract :—

(*a*) the Medical and Public Health Departments should be consulted beforehand;

(*b*) Rules should be framed as to housing, sanitation and medical treatment and facilities;

(*c*) The Medical Department should be responsible for the workers' health 192

171. The possibilities of the wider application of departmental working should be considered by the Public Works Departments generally 193

CHAPTER XII.—THE INCOME OF THE INDUSTRIAL WORKER.

Regularity of Employment.

172. As far as possible the regular worker should be substituted for the irregular worker 211

Minimum Wages.

173. Before minimum wage-fixing machinery can be set up:

(*a*) the industries in which there is a strong presumption that the conditions warrant detailed investigation should be selected,

(*b*) a survey of conditions in each such industry should be undertaken as the basis on which it should be decided whether the fixing of a minimum wage is desirable and practicable,

(*c*) the trade should be demarcated and the composition and number of the Wage Boards should be decided, and

(*d*) as much as possible of the information likely to be needed by the Wage Boards, if appointed, should be collected .. 212-3

174. When a decision has been reached as to whether the conditions in any case justify the setting up of machinery, particular attention must be given to the cost of enforcement and the policy of gradualness should not be lost sight of 213-4

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175. The industries referred to in Chapter VII should be examined in the first instance with a view to the need and possibility of instituting minimum wage-fixing machinery 214

176. If the results of investigation show the need for minimum wage-fixing machinery in industries of this kind the necessary legislation for setting up such machinery should be undertaken 214

Standardisation of Wages.

177. Every effort should be made to put into operation a policy of standardised wages in the Bombay cotton mills 215

178. The Jute Industry in Bengal should take early steps to investigate the possibility of standardisation of wage rates, both for time and piece workers, associating with it representatives of *bona fide* trade unions 216

Deductions from Wages.

179. Legislation regarding deductions from wages and fines is necessary and desirable 218

(*a*) Fines—

(*i*) The fining of children should be prohibited.

(*ii*) The payment of the fine should not be spread over more than one month from the date on which it was imposed.

(*iii*) The maximum amount deducted in fines should not exceed in any month half an anna in the rupee of the worker's earnings.

(*iv*) The sums received from fines should be credited to a purpose beneficial to the employees as a whole and approved by some recognised authority.

(*v*) Employers should be required to post notices specifying the acts or omissions in respect of which a fine may be imposed. Fines for acts or omissions not so specified should be made illegal 219

(*b*) Deductions for damage or loss—

The law should provide that the amount of such deduction should in no case exceed the whole-sale price of the goods damaged 220

(*c*) Other deductions, *i.e.*, in respect of specific causes or benefits—

(*i*) Deductions may be allowed on account of the provision of housing accommodation and of tools and raw materials. In other cases they should only be permissible after the general or special approval of the provincial Government or some authority appointed by it.

(*ii*) In all cases, the amount of the deduction should not exceed the equivalent of the services rendered 220-1

(*d*) Application and enforcement—

(*i*) Legislation should, in the first instance, apply only to employees in receipt of less than Rs. 100 a month in factories under the Factories Act and on railways.

(*ii*) Employers should be required to maintain registers showing the three classes of deductions separately. The particulars to be entered in the registers and the form in which they are to be kept should be prescribed by provincial Governments.

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(iii) In the case of factories the inspection staff should be responsible for enforcement and the Chief Inspector of Factories should review the position in his annual report. As regards railways the registers should be scrutinised at intervals by the audit officer.

(iv) The imposition of a deduction not permissible by law should be punishable, but the usual form of proceeding should not be a prosecution but an application before specially empowered magistrates and other officers for the recovery of the wrongful payment and for compensation. Such an application may be made by an inspector, by the workman aggrieved or by any person acting on his behalf. The procedure should be summary and the amount of compensation should not exceed ten times the sum wrongfully deducted.

(v) A prosecution should only be instituted with the sanction of an inspector or an officer before whom a proceeding for contravention has been taken 221

Restrictions on sale of liquor.

180. (a) In all large cities and industrial areas a general policy should be adopted of restricting the facilities for the sale of liquor.

(b) The areas selected should be sufficiently wide to ensure the policy of restriction being effective.

(c) The number of drink shops should be reduced.

(d) Hours of opening should be limited, and should in no case include any part of the forenoon. Outside the stated hours the sale of liquor should be prohibited.

(e) The possibility of an extension of the system by which spirituous liquor may not be supplied except in sealed bottles should be examined 222

CHAPTER XIII.—INDEBTEDNESS.

181. All railway administrations should make persistent efforts to help their workers by means of co-operative credit. A study should be made of the methods adopted on the Bombay, Baroda and Central India Railway 228

182. The salary and wages of all workmen receiving less than Rs. 300 a month should be exempted entirely from the possibility of attachment. Failing extension to all persons below this salary limit, the definition of workman in the Workmen's Compensation Act might be suitable 232

183. At least so far as industrial workers in receipt of wages or salary of less than Rs. 100 a month are concerned, arrest and imprisonment for debt should be abolished except where the debtor has been proved to be both able and unwilling to pay 232

184. Workers' contributions to provident funds maintained by private employers and certified by Government for the purpose should be safeguarded against attachment 232

185. Legislation should be enacted providing a summary procedure for the liquidation of workers' unsecured debts.. 233

(a) The court should be required to estimate the probable income and reasonable expenditure of the worker during the ensuing two years 233

(b) The amount of the decree issued should be based on the difference between the two sums 233

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(*c*) It should not be possible to keep the decree alive for more than three years in all 233

(*d*) Debts should rank preferentially in order of their age .. 233

(*e*) The possibility of appointing special courts for summary liquidation proceedings should be considered 234

(*f*) If the law cannot be applied to the poorer classes generally, "industrial workers" would have to be defined, and, in the first instance, it may be necessary to limit the operation of the measure to scheduled industrial areas with power to extend it to other areas 234

(*g*) If a monetary limit is required, the law may be applied only to workmen in receipt of wages or salary of less than Rs. 100 a month 234

(*h*) During the first three years of the operation of this law the amount recoverable might be based on three instead of two years' income and expenditure, and the maximum period during which decrees should remain effective may be four years instead of three years 234

186. Apart from the legislation recommended above, the possibility of reducing the period of limitation for debts and the period within which a decree may be kept alive under the ordinary civil law should be examined 234-5

187. Besetting an industrial establishment for the recovery of debts should be made a cognizable offence 236

188. Recruiting advances—

(*a*) The recovery of any amount advanced to meet travelling expenses to the place of employment should be made illegal.

(*b*) Other advances to the worker before actual employment begins should be irrecoverable by law, except from the first wage payment 236

189. Periods of wage payment—

(*a*) Employers should adopt a system of weekly payment.

(*b*) In textile industries, railway and engineering workshops and iron and steel works, the law should require the payment of wages to the process operatives at intervals not exceeding 16 days. The appropriate authority should have the power to extend a similar provision to other industries or classes of operatives either generally or in particular centres. In this connection the case of railway workers outside the workshops should be examined.

(*c*) If any reduction is made in the period of wage payment, no worker should forfeit any privilege or concession which is attached to payment on a monthly basis .. 240

190. For industrial employees in factories the legal period of notice should in no case exceed a week, whatever the period by which wages are paid 241

191. Payment of wages—

(*a*) Legislation should be enacted providing for the payment of wages within 7 days from the expiry of the period in which they have been earned in the ordinary case, and as early as possible but not later than 2 days from the date of discharge in the case of an operative who is discharged.

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(b) The law should be applicable to factories, mines, railways and plantations and should provide for possible extensions to other branches of industry 241

CHAPTER XIV.—HEALTH AND WELFARE OF THE INDUSTRIAL WORKER.

192. Still-births should be excluded from birth and death registers and separately recorded 249

193. Municipal councils and local bodies should devote more attention to vital statistics and at least in the larger towns and more important industrial areas the appointment of medical registrars should be compulsory 250

194. India should have an Institute of Nutrition, as recommended by the Agricultural Commission, with a Director and sufficient number of qualified assistants. Publicity work should be part of its functions, propaganda material being prepared under supervision of the Director in consultation with provincial Public Health Departments 251

195. Local authorities should construct sanitary markets in all urban and industrial areas 251

196. Adulteration of Foods Acts should be in force in all provinces and local Governments should endeavour to make their provisions more widely applicable. Severer penalties should be provided and a clause regulating importation and sale of condensed skimmed milk should, if possible, be incorporated 252

197. In industrial provinces Public Health Departments should be strengthened to deal with industrial hygiene and industrial disease; at least one of the Assistant Directors of Public Health should have special knowledge of these subjects 252

198. Medical inspectors of factories and mines should devote special attention to industrial disease 253

199. Industrial health research should be entrusted to the Indian Research Fund Association 253-4

200. (a) Women should be appointed to public health staffs particularly in the more industrialised provinces.

(b) Initiative in welfare work among women and children should be taken by local Governments.

(c) Every provincial Public Health Department should have a trained statistical officer.

(d) Health propaganda should be carried on by Government and local authorities.

(e) Every municipal area should have its own Medical Officer of Health and adequate sanitary staff.

(f) Municipal health officers should belong to a Government cadre though paid by municipal funds.

(g) A similar health staff should be at work in extra-municipal areas where industry is being developed 254

201. Comprehensive Public Health Acts should be passed in all provinces 255

202. (a) Where piped water supplies are not available special precautions as to purity should be taken.

(b) Where industry begins to develop in a new area, it should be the duty of employers to provide suitable water for their workers.

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(g) The qualifying period should in no case be less than 9 months and might be fixed at 12 months 265

(h) The more closely benefit can be linked with treatment the better: probably the best method is to give benefit in any case and to add a confinement bonus only if a trained midwife or hospital treatment is utilised. Failure to use existing facilities should not disqualify the applicant, but bonus and benefit together should not exceed the amount laid down in the Act 265

(i) The administration of the Act should be entrusted to the factory inspection staff and, wherever possible, to women factory inspectors .. 265

212. All methods should be explored that may lead to the alleviation of existing hardships arising from the need of provision for sickness 265

(a) Material should first be collected for the framing of an estimate of the incidence of sickness among workers, special statistical inquiries being instituted in selected centres as soon as possible 266-7

(b) Assistance might be obtained from (i) railways and Government factories, (ii) employers who already have sickness benefit schemes, (iii) experiments voluntarily conducted by employers 267

(c) The statistics should be collected with expert medical and actuarial advice and the co-operation of employers and representatives of workers 267

(d) The preliminary enquiries might be conducted by the Government of India who might secure for the purpose a small informal committee from the Central Legislature including representatives of capital and labour. These with medical, actuarial and statistical assistance should be able to advise as to the nature of the statistics required, the centres where they might be collected, the sources from which, and the means whereby, they should be obtained 267

(e) Thereafter the question of framing schemes should be referred to a formal committee with instructions to examine the material and to make recommendations for the institution, if and where possible, of definite schemes 267

(f) Pursuing the line of building on existing foundations the Commission commend for examination the outline of a tentative scheme based on separate medical provision, possibly by Government, and financial benefits in the form of paid sick leave given through employers on the basis of contributions by themselves and by the workers 268

CHAPTER XV.—HOUSING OF THE INDUSTRIAL WORKER.

213. Colliery housing:—

(a) Small blocks of two to four houses in partitioned units should be more extensively used and new houses should have a window and roof ventilation 279

(b) The staff of the Board of Health should take every possible step to prohibit occupation of a house by more than one set of inhabitants 280

(c) Bathing and washing places should be built near each block of houses 280

(d) Latrines of approved types should be generally installed, preferably of the septic-tank type 280

(e) The graded system of coloured licenses at Jharia should be abolished forthwith 280

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(*f*) The decision to abandon the practice of permitting workers at Giridih to build and repair their own houses should be reconsidered 281

214. More attention should be given to housing, water supply, drainage and latrines in metalliferous mining areas 281

215. Quarters for 'single' workers on the oilfields should in future be constructed in the form of rooms for not more than 4 to 6 individuals 282

216. The scheme of the Tata Iron and Steel Co. and of the Tinplate Company at Jamshedpur whereby loans are advanced to workers to enable them to build their own houses under supervision should be more widely adopted 282-3

217. Railway housing: increased provision of houses should be arranged for as rapidly as possible and more regard should be paid to Indian preferences in design 284

218. The psychological effects of segregation should be taken into consideration in planning future developments of the kind at Jamshedpur and Khargpur 285

219. Government should give continued consideration to the problems created in special areas such as Jamshedpur with a view to devising a system whereby the principles of local self-government may be applied 285

220. (*a*) Provincial Governments should make a survey of urban and industrial areas to ascertain their needs in regard to housing.

(*b*) They should then arrange for conferences with all interested parties in order that decisions may be taken as to practicable schemes and the method whereby their cost could be shared.

(*c*) Local authorities should be responsible for the development and lay-out of industrial areas and for the provision and maintenance of proper sanitary conditions.

(*d*) Where suitable Government land is available, Government should be prepared to sell or lease it to those who agree to build houses within a specified period.

(*e*) Government should announce their willingness to subsidise in this or other ways employers' housing schemes approved by them .. 287

221. Recommendations for Government action:—

(*a*) Minimum standards in regard to floor and cubic space, ventilation and lighting should be laid down and should be incorporated by all local authorities in their bye-laws.

(*b*) Water supplies, drainage systems and latrines for working class dwellings should also be governed by regulations drawn up by the Ministry.

(*c*) Government should insist on the adoption within a specified period and with modifications necessitated by local conditions of model bye-laws prepared and issued by them.

(*d*) Type-plans of working class houses with costs should be prepared by Public Health Departments. Such plans should provide for a small room for cooking and storing utensils, and a front verandah is also desirable.

(*e*) Plans of approved types of latrines should be made available 288

222. Town-planning Acts are urgently required in the Bombay and Bengal Presidencies and would be useful in other provinces: if the Madras Act is ineffective it should be made adequate.

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233. The following classes of workmen should now be included :—

(*a*) Workmen employed in factories using power and employing not less than 10 persons, and in factories not using power employing not less than 50 persons 299

(*b*) Workmen in all mines except open quarries in which less than 50 persons are employed and no explosives are used .. 299

(*c*) All workmen employed in docks 299

(*d*) All workmen employed in work on oilfields 299

(*e*) Seamen on Indian registered ships of not less than 50 tons and on all inland vessels propelled by steam or motor engines and persons employed on the more important public ferries not so propelled 301

(*f*) Workmen employed on Government plantations and on tea, coffee or rubber plantations employing not less than 50 persons 301

(*g*) Workmen employed in the operation of mechanically propelled vehicles which are maintained for the transport of passengers or for commercial purposes 301

(*h*) Workmen engaged in the construction, maintenance or demolition of canals, sewers, public roads, tunnels, aerial rope-ways and pipe lines, and of dams, embankments or excavations 20 or more feet in height, and of all permanent bridges 299, 301

(*i*) Workmen engaged in building work as in the existing clause, but the reference in this clause to industrial and commercial purposes should be omitted 299

(*j*) Workmen employed in connection with the generation and distribution of electrical energy 301

234. The question of the inclusion of persons employed by the larger agricultural employers and of those employed in reserve forests deserves examination 301

235. (*a*) Steps should be taken to ensure that the agreement to pay compensation in accordance with the Indian Act is obligatory on all shipowners engaging Indian seamen and that dependants are capable of enforcing this agreement 300

(*b*) The possibilities of giving Indian seamen the right to compensation whilst serving on ships registered outside India should be further explored by the Government of India and the Home Office. Special attention should be given to the possibility of extending the Act to Indian seamen whilst serving on all ships within India's territorial waters and on British ships engaged in the coastal trade of India 301

236. The limitation of the benefits of the Act to workmen in receipt of not more than Rs. 300 a month should be generally applied and the exception relating to the armed forces of the Crown should be modified, if this is necessary, in order to include persons who are genuinely industrial workers 302

237. Widowed sisters and widowed daughters should be added to the list of dependants 304

238. For adults in receipt of not more than Rs. 30 a month, payments for temporary disablement should be based on two-thirds of wages and for minors on the full-wage rate. The scale should be subject to a minimum of Rs. 5 for each half-monthly payment, but the rate of compensation should not exceed the rate of wages. No person receiving more than Rs. 30 a month should receive less compensation than he would have got if his wage had been Rs. 30 305

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239. The minimum compensation for death in the case of adults should be Rs. 600 and for complete permanent disablement Rs. 840. The minimum for partial disablement should be correspondingly raised .. **305**

240. (*a*) In place of the 14 existing wage classes in Schedule IV there should be 17, the upper wage limits for which should be (in rupees) 10, 15, 18, 21, 24, 27, 30, 35, 40, 45, 50 60, 70, 80, 100, 200 and 300 **305**

(*b*) Except in the last two classes the assumed wage should be the highest wage of the class. For the last two classes the assumed wages should be Rs. 125 and 150 respectively **305**

(*c*) The maximum half-monthly payment should be raised from Rs. 15 to Rs. 30 and the present maxima for death and permanent disablement should be abolished **305-6**

241. The waiting period should be reduced from ten days to seven **306**

242. The exceptions in the second proviso to section 3(*1*) should not apply where death or a permanent loss of 50% or more of earning capacity results from the accident **307**

243. (*a*) The following additions should be made to Schedule III (List of occupational diseases):—

(*i*) poisoning by benzene and its homologues or sequelae, and

(*ii*) chrome ulceration or its sequelae **307-8**

(*b*) The words "solely and" in section 3(*4*) of the Act should be deleted **308**

244. The administration of the Act should be entrusted, as far as possible, to specially qualified commissioners (not necessarily a whole-time officer), and there should be at least one such officer in every major province. The appointment should not be linked with one in which transfers are frequent and it should be possible to appoint more than one commissioner for the same area **309**

245. Pamphlets summarising the provisions of the Workmen's Compensation Act should be made available to workmen and, if the Act is substantially amended, steps should be taken to diffuse information of the amended law **310**

246. (*a*) Notice to the Commissioner should be compulsory in the case of all fatal accidents occurring to employees while they are on the employers' premises or while they are on duty elsewhere **311**

(*b*) The Commissioner should have the power to call upon the employer to show cause why he should not deposit compensation and to inform the dependants that it is open to them to make a claim .. **311**

(*c*) Shipping Masters should transmit to the Commissioner copies of reports of fatal accidents to seamen on the high seas **312**

247. In fatal accidents the dependant should not be required to approach the employer before claiming compensation from the Commissioner **312**

248. Notice should not be required in certain circumstances, and in no case should want of notice or a defect in a notice act as a bar to proceedings if the employer had timely knowledge of the accident from another source **312**

249. Local Governments should have the power to prescribe the maintenance of notice books by employers **312**

250. The law should not allow funeral expenses to be deducted from the compensation which is to be deposited with the Commissioner, but it should require the latter to deduct the actual cost of the workman's funeral expenses up to a limit of Rs. 25 and to pay them to the person by whom they were incurred **313**

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251. Where a workman is employed by a contractor the principal employer should be able to recover compensation from any person from whom the workman could have recovered compensation 313

252. The Commissioner should have the power to require an employer to make up an inadequate deposit to the proper amount .. 313

253. The High Court and the Commissioner should have the power to secure the withholding of compensation pending an appeal; but employers applying for an order of this kind should deposit a substantial sum to be devoted to the maintenance of the opposite party during the pendency of the appeal 314

254. Failure to furnish a return or a notice required by the Act should be punishable with a fine 314

255. Special provision should be made for the calculation of wages in the case of workmen engaged for a very short period before the accident 314

256. A measure should be enacted abrogating for all workmen the defences of "common employment" and "assumed risks" in civil suits for damages for injury arising out of employment 315

CHAPTER XVII.—TRADE UNIONS.

257. Every employers' organisation should set up a special committee for the purpose of giving continuous consideration to the improvement of the well-being and efficiency of the workers in establishments controlled by its members 317

258. "Recognition" should mean that a union has the right to negotiate with the employer in respect of matters affecting either the common or individual interests of its members. The fact that a union consists only of a minority of employees or the existence of rival unions are not sufficient grounds for refusing recognition 324

259. Government should take the lead, in the case of their industrial employees, in making recognition of unions easy and in encouraging them to secure registration 326

260. Union leaders should endeavour to give as many members as possible some share in the work of the union 327

261. (*a*) Trade union organisers should endeavour to find suitable men within the union to act as officials and should train them for the position 329

(*b*) The training should commence before the selected man leaves his employment and he should be assisted to improve his general education 330

262. The Trade Unions Act should be re-examined in not more than three years' time; all limitations imposed on the activities of registered unions and their officers and members should be reconsidered so as to ensure that the conditions attached to registration are not such as to prevent any well-conducted *bona fide* union from applying for registration 331

263. All unions should be able to secure free of charge the conduct of their audit by officials of Government. The reports of the official auditor on trade union audits and investigations should be made available for the public as well as for the union 331

264. Section 22 of the Trade Unions Act should be amended so as to provide that ordinarily not less than two-thirds of the officers of a registered trade union shall be actually engaged or employed in an industry with which the union is concerned 331

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265. A registered trade union should not be precluded from initiating and conducting co-operative credit or supply societies .. 332

CHAPTER XVIII.—INDUSTRIAL DISPUTES.

266. The Employers and Workmen (Disputes) Act of 1860 should be repealed 337

267. Works committees—

(a) Where there is a trade union, the employer should seek its collaboration and co-operation in the establishment and working of works committees which should not be regarded or used as rivals to its influence 342-3

(b) The workers' representatives should have facilities for separate as well as for joint meetings, and such meetings should ordinarily count as working time 343

(c) The range of subjects should be as wide as possible .. 343

(d) The management must be in sympathy with the idea and determined to make the committee a success. The services of a labour officer, where one exists, should be utilised in the working of the committee but he should not act as a spokesman of employers 343

268. In many centres the organisation of joint machinery would go far to develop a sense of responsibility in trade unions. The organisation should include not only some joint committee or council within the individual establishment, but also a larger body of representatives of both sides of the industry in the centre concerned.. 344

269. Some statutory machinery will be permanently required to deal with trade disputes and it will be necessary to consider the form which such machinery should take before the Trade Disputes Act expires in 1934 344

270. In the remaining period for which the present Act will be in operation, Governments should lose no opportunity of utilising their power to appoint Boards or Courts when they believe that this action will serve some useful purpose. 345

271. The question of providing means for the impartial examination of disputes in public utility services should be considered .. 346

272. The possibility of establishing permanent courts in place of *ad hoc* tribunals under the Act should be examined 346

273. Section 13 of the Trade Disputes Act should be amended so as to provide that no prosecution or suit shall be maintainable on account of any breach of the section or any damage caused thereby, except with the previous sanction of the Government which appointed the tribunal 347

274. Every provincial Government should have an officer or officers whose duty it would be to undertake the work of conciliation and to bring the parties privately to agreement 348

CHAPTER XIX.—THE PLANTATIONS.

275. No further legislation making a breach of contract of service criminal offence should be countenanced 356

CHAPTER XX.—RECRUITMENT FOR ASSAM.

276. The power conferred by Section 3 of the Assam Labour and Emigration Act (Act VI of 1901) to prohibit recruitment for Assam in particular localities should be withdrawn immediately, and no barrier should be set up to prevent free movement of labour from one part of India to another 363

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(c) The Government of Assam should either secure the services of some one with experience of the working of wage-fixing machinery or arrange for a selected officer in Assam to acquire the requisite experience 394

(d) Thereafter, Government should notify its intention to call for wage returns covering a period of at least twelve months and including all classes of work undertaken in the different seasons 394

(e) The form of the wage returns should be the same throughout the province. These returns should show the number of male, female and child workers employed each month, whether permanently or temporarily, the wages earned by each such group and as near an approximation as possible to the hours actually worked for those wages 394

(f) Government should invite the tea industry to submit proposals for its consideration regarding the most suitable type of machinery to be provided by statute. The cardinal points are :—

(i) Employers and workers should be given equal representation in the constitution of such machinery. In the absence of any organisation among the workers, it will be necessary for Government to appoint disinterested persons, who are neither officials nor employers, to represent the interests of the garden workers on the Board 395-6

(ii) Minority interests among employers should find representation, but the number of members should be kept as small as possible 396

(iii) An independent element is necessary, but it should suffice to have an independent Chairman, preferably an official nominated by Government 396

(iv) The Board or Boards should include at least one woman .. 396

(g) Only a small staff should be required for enforcement. If possible the duties of factory and wage inspection should be combined 397-8

295. In the Dooars, wages should invariably be paid direct to the worker and not through the sardar 399

296. The recommendations made in Chapter XIII relating to the regular and prompt payment of wages, the recovery of recruiting costs, including cost of transit, and restrictions on the recovery of advances should also apply to plantation labour throughout British India .. 402

CHAPTER XXII.—HEALTH AND WELFARE IN PLANTATIONS.

297. On all plantations managers should be required to maintain birth and death registers, and by inspection Government should ensure that these are reasonably accurate 405

298. Where possible, garden managers should make a more generous allocation to workers of land for grazing and for vegetable cultivation 406

299. A more active policy should be adopted by all plantation managements in regard to anti-malarial work carried out under skilled advice and supervision 407

300. Wherever conditions are suitable, tube wells should be constructed. Where possible, piped water supplies should be provided .. 407

301. Workers' houses should be suitably spaced out and not built back to back. They should be in blocks of two rooms and, wherever possible, on high round 408

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302. Standard minimum requirements in regard to plinths, floor and cubic space, light and ventilation should be prescribed by the competent authority which should have the power to condemn insanitary houses. Standard type plans to suit varying conditions should also be prepared and made available to garden managements 408

303. Workers might be encouraged, under supervision, to build their own houses on approved sites. Wherever possible, a number of lights should be provided in and around the housing areas .. 409

304. Bathing and washing places of simple type should be constructed in the vicinity of the house lines; Public Health Departments should prepare type plans 409

305. Planters should carry out annual mass treatment of their labour forces for hook-worm 410

306. Adequate latrine accommodation should be required in factories on plantations, and the exemption from the provisions of section 13 of the Factories Act in Bengal and Assam should be withdrawn .. 410

307. Women doctors should be employed by each medical group organisation for confinements in hospital, for the training and supervision of midwives and *dais*, and for child welfare work 411-2

308. The practice of giving free food to indoor patients should be adopted in all plantation hospitals 412

309. Maternity benefits should be provided for by legislation. The cash benefit to the mother should ordinarily take the form of half her daily wage for a period of 4 weeks before and 4 weeks after child-birth. In addition a bonus of Rs. 5 should be given, except where the woman refuses to avail herself of the skilled services of a woman doctor or a trained midwife provided by the employer. In the case of plantation labour the condition of a qualifying period of employment should be dispensed with 412

310. The practice of feeding non-working children without charge should be generally adopted 413

311. Plantation managers should assist in organising suitable recreation for their workers and should provide playing fields for general recreational purposes 413

312. The employment of health visitors is desirable; the work of the health visitor should always be supervised by the garden medical officer. Where a group medical organisation exists, the woman doctor, with two or three health visitors, should organise welfare centres on each garden of the group 414

313. When young children become orphaned and have no relations settled on the estate, the district magistrate or some suitable authority should invariably be approached to get into touch with any existing relations and, if a desire is expressed for the return of the child, arrangements should be made for repatriation 414

314. The employment, either directly or with their parents, of children before the age of 10 years should be prohibited by law. The names of all employed children should be entered in the wage-book and in the case of children not born on a plantation and therefore without a registered birth certificate, the garden doctor should be required to determine the age before the child is allowed to start work 415

315. Representatives of the local Governments concerned and of the planters should meet in conference to consider what contribution each can make towards the education of children on the plantations .. 416

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316. (*a*) The Director of Public Health, his assistants and the district health officers should be *ex-officio* inspectors of plantations ..	417
(*b*) As soon as a complete health service comes into being in Assam and Bengal, the inspecting powers of Civil Surgeons should be transferred to the officers of the Health Department..	417
317. (*a*) Boards of Health and Welfare should be established under statute for convenient planting areas	418
(*b*) Each Board should have a majority of planter representatives and should include a Collector or Deputy Commissioner from the districts covered, the Director of Public Health (or one of his assistants as deputy), the district health officer and persons nominated by the local Government to represent workers. It is desirable that the Board should include at least one woman member ; the Protector of Immigrants should have the right to attend but not to vote	418
(*c*) The area to be allotted to each Board will depend on local considerations, but Government should remain directly responsible for public health in adjoining areas which are interspersed with plantations	419-20
(*d*) (*i*) Each Board should be financed by means of an annual cess levied on all plantations within its area. The cess may be based on the planted acreage or on the resident population, but the final decision as to the method to be adopted should be made after consultation between the local Governments and the industry	420
(*ii*) A rebate upto two-thirds of the cess collected should be made to estates according to a system of marks awarded by medical inspecting authorities for housing, medical facilities, anti-malarial work and other amenities of which they approve	420
(*iii*) Government, in consultation with the industry, should examine the possibility of transferring the accumulated balance at the credit of the Assam Labour Board, less all proper expenses involved in winding up its affairs, to the Boards of Health and Welfare in Assam ..	421
(*e*) The chief executive officer of the Board should be a whole-time experienced medical officer with public health qualifications ..	421
(*f*) In respect of maternity benefit legislation the Board should be the administrative authority for the area under its control ..	421
318. (*a*) The Act constituting the Boards and prescribing their procedure should detail, as far as possible, their duties and the matters in respect of which they may issue regulations. Before these are issued, they should be submitted to the local Government, which should have the power to refer them back to the Board with suggestions for their amendment. In the case of regulations dealing with certain important matters, such as the provision of drinking water, conservancy, sanitation, drainage, medical facilities and the prescribing of minimum standards of new housing accommodation, the local Government should have the power either to approve them or to modify them in such manner as it thinks fit. In the case of other regulations the local Government should not have the power to modify or supersede the regulations proposed by the Board	421-2
(*b*) Government should have the power through its inspectors of instituting prosecutions for infringements of any regulations, but this power should only be invoked after the Board, without sufficient reason, had refused to prosecute	422
(*c*) Government should also retain some financial control ..	423
319. District health officers should act as Government inspectors of plantations and should be empowered to deal with breaches of public health laws and regulations on estates	423

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CHAPTER XXIII.—BURMA AND INDIA.

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330. As soon as a decision has been taken regarding the constitutional position of Burma, the question of immigration should be examined by the Governments of India and Burma in consultation with all the interests concerned 441

331. For a sound immigration policy, further statistical information regarding immigrant labour is urgently required. Accurate figures should be obtained bearing on the extent of employment available at different seasons and the movements of immigrant labour in search of work .. 441

332. Whatever steps are taken to regulate immigration, satisfactory conditions of life and work should be maintained for the immigrant populations 441

333. Government, employers and all concerned should accept a much greater measure of responsibility for the immigrant 442

CHAPTER XXIV.—STATISTICS AND ADMINISTRATION.

Statistics and Intelligence.

334. (*a*) Statistics should be compiled separately in respect of perennial and seasonal factories 443

(*b*) Government should examine the possibility of obtaining from the factory owner the total number of persons employed in his factory for not less than one month in a year 443

(*c*) The Factories Act should be amended so as to make it possible to call for returns in respect of wages 443

335. An examination should be made of the causes of delay in the publication of labour statistics with a view to devising a method which will ensure more prompt publication 444

336. The possibility of obtaining figures of the total number employed wholly or part-time in the coal mines should be examined .. 444

337. The published returns relating to the Assam plantations should give particulars of the number of labourers employed who do not live on the gardens, and the vital statistics should include both births and deaths 444

338. Planters in all provinces should be required by statute to furnish statistics relating to the labour forces employed by them .. 444

339. A summary should be published by the Government of India of the annual returns received from provincial Governments on the working of the Trade Unions Act 445

340. Legislation should be adopted, preferably by the Central Legislature, enabling the competent authority to collect information from employers regarding the remuneration, attendance and living conditions (including housing) of industrial labour, from merchants regarding prices, from money-lenders regarding loans to workers and from landlords regarding rentals 446

341. Whenever possible, investigators engaged on family budget enquiries should receive a course of training with the Bombay Labour Office or some other office which has conducted a successful enquiry .. 447-8

342. Enquiries into labour conditions by private investigators should be intensive rather than extensive 448-9

343. The possibility of making enquiries and investigations into labour conditions an obligatory part of courses in economics should be considered by the university authorities in all provinces 449

344. The possibilities of experimental work with a view to discovering means of improving output and efficiency should be considered by large individual employers and by associations of employers 449

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(b) The Council should be sufficiently representative but not too large. The representatives of labour should be elected by registered trade unions, and where there are no registered trade unions of any size they should be nominated by Government. The employers' representatives should also be elected by associations of employers, whose voting power should be approximately proportionate to the number of workers which their members employ 467

(c) The Council should meet annually and its president should be elected at each annual session. The secretary of the Council should be a permanent official responsible to it for the current business throughout the year 468

(d) Functions of the Council:

(i) to examine proposals for labour legislation referred to it and also to initiate such proposals 468

(ii) to promote a spirit of co-operation and understanding among those concerned with labour policy, and to provide an opportunity for an interchange of information regarding experiments in labour matters .. 469

(iii) to advise the Central and provincial Governments on the framing of rules and regulations 469

(iv) to advise regarding the collection of labour statistics and the co-ordination and development of economic research 470

354. If labour legislation is central, the authority finally responsible for such legislation must be the Central Legislature. If labour legislation is to be decentralised, some co-ordinating body will be necessary. The decisions of the Council could not be given mandatory power, but in certain circumstances it might be made obligatory for provincial Governments within a specified time to submit proposals for legislation to their respective legislatures for a decision as to their adoption or rejection 471

355. Votes in the Industrial Council should be recorded separately in three groups, one including employers' representatives, one workers' representatives and one the remaining members 471

356. Where there is the danger of establishments being transferred to Indian States in order to escape regulation, an effort should be made to obtain the co-operation of the adjoining States 474

357. (a) The possibility of making labour legislation both a federal and a provincial subject should be considered.

(b) If federal legislation is not practicable, efforts should be directed to securing that, as early as possible, the whole of India participates in making progress in labour matters.

(c) For States in which there is appreciable industrial development, the Industrial Council should offer a suitable channel for co-operation 474

APPENDIX II.

A.—TERMS OF REFERENCE AND LIST OF SUBJECTS WITH COVERING LETTER TO PROSPECTIVE WITNESSES.

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(1) Letter to prospective witnesses.

The Chairman of the Royal Commission on Labour in India desires me to send you the enclosed paper setting out the terms of reference to the Commission and a Schedule of the subjects falling within them which appear likely to engage the Commissioners' attention in the course of their enquiry.

I am to invite you/your organisation to submit, for the information of the Commission, any written statement which is likely to contribute to the objects of the inquiry.

The attached Schedule of subjects is not intended to be exhaustive, and the Commission will welcome evidence on any matter falling within the scope of their inquiry, whether included in the Schedule or not. They also consider it unlikely that you will feel called upon to deal with all the headings of the Schedule, and I am to suggest that you should select those in the subject-matter of which your experience mainly lies. They would be glad if in dealing with subjects mentioned in the Schedule you would number the various parts of your reply to correspond with the headings numbered in Arabic numerals in the Schedule (Nos. 1—146).

The Commission attach great importance to detailed evidence based on personal experience of particular industries, localities or establishments, and they trust that no possible witness will be deterred from proffering such evidence by its comparatively narrow field. Where information of a definitely statistical nature can be given this will naturally be of the greatest value to the Commission.

In the case of witnesses giving evidence on behalf of industrial institutions it will be of assistance if they will state in their evidence the nature of the firm's business, its output, period for which it has been operating, and particulars of number and grading of its employees, male, female and juvenile.

The Commission will find it of assistance if any memorandum of evidence you may be willing to put forward may be sent as soon as possible, and in any case not later than the , to the—

Joint Secretary to the Royal Commission on Labour in India,

Camp, India.

The Commission will of necessity have to limit the volume of oral evidence taken by them, but they would be obliged if you could state whether you wish to give evidence in person before them and, if so, at what place it would be most convenient for you to do so. They expect to visit all the leading industrial centres and probably all the provincial capitals in the course of the cold weather of 1929-30.

(2) Terms of Reference.

"To enquire into and report on the existing conditions of labour in industrial undertakings and plantations in British India, on the health, efficiency and standard of living of the workers, and on the relations between employers and employed, and to make recommendations."

NOTE.—"Industrial undertaking" for the purpose of the Commission is interpreted as in Article 1 of the Washington Hours Convention, which is as follows :—

"For the purpose of this Convention, the term 'industrial undertaking' includes particularly :—

"(a) Mines, quarries, and other works for the extraction of minerals from the earth.

"(b) Industries in which articles are manufactured, altered, cleaned, repaired, ornamented, finished, adapted for sale, broken up or demolished, or in which materials are transformed; including shipbuilding and the generation, transformation and transmission of electricity or motive power of any kind.

"(c) Construction, reconstruction, maintenance, repair, alteration, or demolition of any building, railway, tramway, harbour, dock, pier, canal, inland waterway, road, tunnel, bridge, viaduct, sewer, drain, well, telegraphic or telephonic installation, electrical undertaking, gaswork, waterwork or other work of construction, as well as the preparation for or laying the foundations of any such work or structure.

"(d) Transport of passengers or goods by road, rail, sea or inland waterway, including the handling of goods at docks, quays, wharves or warehouses, but excluding transport by " "

The competent authority in each country shall define the line of division which separates industry from commerce and agriculture.

(3) List of subjects.

I. Recruitment.

(1) *Origin of Labour.*

(i) Extent of migration.
(ii) Causes of particular streams of migration.
(iii) Changes in recent years.

(2) *Contact with villages.*

(i) Extent and frequency of return.
(ii) Extent of permanent labour force.

(3) *Methods of recruitment.*

(i) Existing methods.
(ii) Possible improvement.
(iii) Public employment agencies—
(a) Desirability of establishing.
(b) Possibility of practical schemes.

(4) *Extent and effects of disturbance of family life.*

(5) *Recruitment of seamen.*

(i) Existing practice.
(ii) Effect of changes introduced in Calcutta.
(iii) Suggestions for improvement.

(6) *Recruitment for Assam.*

(i) Need of retention of control.
(ii) Administration of present system.
(iii) Composition and working of Assam Labour Board.
(iv) Defects of existing Act and system.
(v) Possible substitutes.

(7) *Unemployment.*

(i) Extent and character.
(ii) Extent to which caused by—
(a) Retrenchment or dismissals.
(b) Voluntary retirement.
(c) Other causes.
(iii) Possible methods of alleviating and remedying distress.
(iv) Unemployment Insurance.
(v) Application of International Conventions relating to unemployment.

(8) *Labour "turnover".**

(i) Average duration of employment.
(ii) Extent of casual employment.
(iii) Absenteeism—
(a) Extent, character and causes.
(b) Seasonal or otherwise.
(c) Time and wages lost.

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* This word should be read as indicating generally the changes in composition of the labour staff of an undertaking.

(9) *Apprentices Act, 1850.*
Value of.

II. Staff Organisation.

(10) *Details of organisation, administrative and departmental.*

(11) *Selection of managing staff.*

(12) *Recruitment and training of supervising staff, superior and subordinate.*
(i) Methods in force.
(ii) Facilities for training and promotion of workmen.

(13) *Relations between staff and rank and file.*
(i) Relations generally.
(ii) Value and defects of system of employing jobbers.
(iii) Works Committees : their constitution, extent and achievements.
(iv) Works Councils and Industrial Councils.

(14) *Timekeeping, piecework, contract and attendance registers.*
(i) How and by whom kept and checked.
(ii) How and by whom wages actually paid to workers.

(15) *Contractors as intermediaries.*
(i) Extent and character of work given on contract.
(ii) Extent of sub-contracting.
(iii) Control exercised over working conditions.
(iv) Effects.

III. Housing.

(16) *Extent to which housing is provided.*
(i) By employers.
(ii) By Government or other public agency.
(iii) By private landlords.
(iv) By workers themselves.

(17) *Facilities for acquisition of land for workers' houses.*

(18) *Nature of accommodation provided in each class.*
(i) In relation to workers' demands.
(ii) In relation to best type from health point of view.
(iii) Provision made for lighting, conservancy and water supply.

(19) *Utilisation by workers of accommodation available.*

(20) *Rent rates in various classes.*

(21) *Special problems arising in connection with various classes of housing,*
e. g., Subletting ;
Occupation of employers' houses by tenants in other employ ;
Eviction.

(22) *Moral effect on worker of industrial housing conditions. Improvements tried and suggested.*

IV. Health.

(23) *General health conditions of workers.*
(i) Figures of mortality.
(ii) Birth rate and infant mortality.
Methods of registration.
(iii) Working conditions—
(*a*) at work places ;
(*b*) at home.
(iv) Dietary.
(v) Physique.
(vi) Effects of disturbance of sex ratio in industrial cities.
(vii) Relation between housing and mortality.

(24) *Extent of medical facilities provided.*

(i) By employers.
(ii) By Government.
(iii) By other agencies.
(iv) Provision for women doctors, trained midwives or dais.

(25) *Extent to which medical facilities are utilised.*

(i) Generally.
(ii) By women.

(26) *Sanitary arrangements, (a) at work places, (b) at home.*

(i) Latrines.
(ii) Drinking water.
(iii) Bathing and washing.

(27) *Extent and nature of official supervision.*

(i) Work of Boards of Health in special areas.
(ii) Inspection of plantations.
(iii) In mill and other industrial areas.

(28) *Suitability of existing Factories and Mines Acts and Rules.*

(i) Control of temperature in factories.
(ii) Control of humidification in cotton mills—
(a) Nature of action taken by Local Governments.
(b) Results.

(29) *Disease.*

(i) Prevalence of industrial diseases.
(ii) Prevalence of cholera, malaria, hookworm and other tropical diseases.

(30) *Sickness insurance.*

(i) Suitability of International Labour Convention.
(ii) Possibility of introducing other systems.
(iii) How to meet difficulties arising from non-acceptability of Western medicine, paucity of medical men, migration of labour, finance.

(31) *Maternity benefits.*

(i) Extent and working of existing schemes (including allowances given before and after childbirth).
(ii) History of central and provincial Bills.
(iii) Possibility of legislation.

V. **Welfare** (other than **Health** and **Housing**, but including **Education**).

(32) *Extent of welfare work.*

(i) By employers.
(ii) By other agencies.

(33) *Employment of Welfare Officers and workers.*

(34) *Nature of other Welfare activities, (a) by employers, (b) by other agencies.*

(i) Provision for refreshments, shelters and crèches.
(ii) Provision for physical culture, recreation and amusements.
(iii) Other activities.

(35) *Results achieved.*

(36) *Provision of educational facilities by employers.*

(i) For adult workers.
(ii) For half-time workers.
(iii) For workers' children.
(iv) Extent to which used.

(37) *Desirability and possibility of provision for old age and premature retirement.*

(38) *Co-operation.*

(39) *Possibility and desirability of a Statutory Miners' Welfare Fund.*

VI. Education.

(40) *Facilities for general education in industrial areas.*

(i) Of children not in employment.
(ii) Of children employed in factories.
(iii) Of adults.

(41) *Facilities for industrial and vocational training.*

(42) *Effect of education on standard of living and industrial efficiency workers.*

VII. Safety.

(43) *Existing regulations in factories, mines, railways and docks.*

(44) *Incidence of accidents in factories, mines, railways and docks.*

(45) *Causes.*

(46) *Accident prevention* (including " Safety First " propaganda).

(47) *Accidents in non-regulated establishments.*

(48) *First-aid and medical relief.*

(49) *Stringency of inspection and enforcement of regulations.*

(i) In industry generally.
(ii) In seasonal industries.

(50) *Effect upon safety of hours, health, light and working conditions generally.*

VIII. Workmen's Compensation.

(51) *Workmen's Compensation Act.*

(i) Extent of use.
(ii) Comparison with extent of possible claims.
(iii) Effects on industry.
(iv) Availability and use of insurance facilities and value from workers' point of view.
(v) Desirability of compulsory insurance by employers.

(52) *Desirability of extending Act to other occupations.*

Possibility of providing against insolvency of employers who might be so covered.

(53) *Suitability of provisions relating to—*

(i) Scales of compensation.
(ii) Conditions governing grant of compensation.
(iii) Industrial diseases.
(iv) Machinery of administration.
(v) Other matters.

(54) *Desirability of legislation on lines of Employers' Liability Act,* 1880.

IX. Hours.

A. Factories.

(55) *Hours worked per week and per day.*

(i) Normal, *i.e.* as determined by custom or agreement.
(ii) Actual, *i.e.* including overtime.
(iii) Spreadover, *i.e.* relation between hours worked and hours during which worker is on call.

(56) *Days worked per week.*

(57) *Effect of 60 hours restriction.*

(i) On workers.
(ii) On industry.

(58) *Effect of daily limit.*

(59) *Possibility of reduction in maxima.*

(60) *Intervals.*

(i) Existing practice—

(*a*) In relation to fatigue.

(*b*) In relation to workers' meal times.

(ii) Suitability of the law.

(iii) Suitability of hours during which factory is working.

(iv) Number of holidays given.

(61) *Day of rest.*

(i) Existing practice.

(ii) Suitability of the law.

(62) *Exempting provisions and the use made of them.*

B. Mines.

(63) *Hours worked per day and per week.*

(i) Normal, *i.e.* as determined by custom or agreement.

(ii) Actual, *i.e.* including overtime.

(iii) Spreadover, *i.e.* relation between hours worked and hours during which worker is on call.

(64) *Days worked per week.*

(65) *Effect of restriction of hours.*

(i) On workers.

(ii) On industry.

(66) *Possibility of reducing maxima.*

(67) *Suitability of the law relating to shifts.*

(68) *Possibility of introducing an effective daily limitation.*

(69) *Intervals.*

(i) In relation to fatigue.

(ii) In relation to workers' meal times.

(iii) Number of holidays given.

(70) *Day of rest.*

(71) *Adequacy of existing provisions.*

(72) *Exempting provisions and use made of them.*

C. Railways.

(73) *Hours worked per week and per day.*

(i) Normal, *i.e.* as determined by custom or agreement.

(ii) Actual, *i.e.* including overtime.

(iii) Spreadover, *i.e.* relation between hours worked and hours during which worker is on call.

(74) *Days worked per week.*

(75) *Extent of application of International Labour Conventions relating to*—

(i) Hours.

(ii) Rest days.

(76) *Intervals*—

(i) In relation to fatigue.

(ii) In relation to workers' meal times.

(iii) Number of holidays given.

(77) *Possibility of regulation.*

D. Other Establishments.

(*a*) Plantations.

(*b*) Docks.

(*c*) Other industrial establishments.

(78) *Hours worked per week and per day.*

(i) Normal, *i.e.* as determined by custom or agreement.

(ii) Actual, *i.e.* including overtime.

(iii) Spreadover, *i.e.* relation between hours worked and hours during which worker is on call.

(79) *Days worked per week.*

(80) *Desirability of regulation.*

X. Special Questions relating to Women, Young Adults and Children.

A. Factories.

(81) *Effect of 1922 Act on employment.*

(82) *Admission of infants to factories.*

(83) *Suitability of regulations for women's work.*

(84) *Suitability of regulations affecting children.*

(i) Hours and intervals.

(ii) Minimum and maximum ages.

(85) *Double employment of children* (i.e. *in more than one establishment in same day*).

(86) *Work and training of young adults.*

Facilities for apprenticeship.

(87) *Extent of "blind alley" employment* (i.e. *extent to which children are dismissed on reaching full age*).

(88) *Comparative merits of double and single shift systems as affecting health of women, young adults and children.*

(89) *Work of women and children in factories not subject to Act.*

(i) Use by Local Governments of section 2 (3) (*b*).

(ii) Advisability of extended application.

B. Mines.

(90) *Effect of Act of 1923.*

Suitability of certification provisions.

(91) *Exclusion of women.*

(i) Suitability of regulations.

(ii) Probable effect on industry.

(iii) Economic effect on workers.

(iv) Speed of withdrawal.

C. Other Establishments.

(92) *Need for regulation.*

XI. Special Questions relating to Seamen and Workers in Inland Navigation.

(93) *Hours of work.*

(94) *Rations and accommodation, articles of agreement, &c.*

(95) *Indian Merchant Shipping Act.*

(i) Existing provisions.

(ii) Need of revision.

XII. Wages.

(96) *Prevailing rates of wages (time and piece) and average earnings.*

(i) In industry.

(ii) In surrounding agricultural areas.

(iii) Difference between money wages and money value of all earnings.

(97) *Movements in recent years.*
(i) Increases and decreases.
(ii) Reasons for variation.
(iii) Relation to prices and cost of living (pre-war and post-war).
(iv) Relation to profits.

(98) *Amounts sent to villages.*

(99) *Payment in kind and allied problems.*

(100) *Extent and effect of payment through contractors, sub-contractors or headmen.*

(101) *Method of fixing wages.*
(i) By negotiated agreements.
(ii) Other means.

(102) *Basis of payment for overtime and Sunday work.*

(103) *Extent of standardisation.*

(104) *Effect of wage-changes on labour supply.*

(105) *Minimum wages.*
Advisability and possibility of statutory establishment.

(106) *Deductions.*
(i) Extent of fining.
(ii) Other deductions.
(iii) Utilisation of fines.
(iv) Desirability of legislation.

(107) *Periods of wage-payment (day, week or month).*
(i) Periods for which wages paid.
(ii) Periods elapsing before payment.
(iii) Desirability of legislation—
(*a*) to regulate periods;
(*b*) to prevent delay in payment.
(iv) Treatment of unclaimed wages.

(108) *Indebtedness.*
(i) In village.
(ii) In industrial area.

(109) *Bonus and profit sharing schemes.*
(i) Nature and effect of schemes which are or have been in operation.
(ii) Basis of schemes, whether production or profits.

(110) *Annual or other leave.*
(i) Extent to which taken by workers.
(ii) Extent to which countenanced and/or assisted by employers.
(iii) Extent of consequential loss to worker of back-lying wages.

(111) *Desirability of Fair Wages Clause in public contracts.*

XIII. Industrial Efficiency of Workers.

(112) *Comparative changes in efficiency of Indian workers in recent years.*

(113) *Comparative efficiency of Indian and foreign workers.*

(114) *Extent to which comparisons are affected by—*
(i) Migration of workers.
(ii) Use of machinery.
(iii) Comparative efficiency of plant.
(iv) Comparative efficiency of management.
(v) Physique.
(vi) Health.
(vii) Education.
(viii) Standards of living.
(ix) Climate.

(115) *Effect on production of—*

(i) Changes in working hours.
(ii) Changes in other working conditions.
(iii) Expenditure on health and sanitation.
(iv) Housing.
(v) Alterations in methods of remuneration.
(vi) Movements in wage levels.
(vii) Legislative enactments.
(viii) Dietary.
(ix) Alcohol and drugs.
(x) Industrial fatigue.

(116) *Possible methods of securing increased efficiency.*

XIV. Trade Combinations.

(117) *Extent of organisation of—*

(i) Employers.
(ii) Employed.

(118) *Effect of organisations on—*

(i) Industry.
(ii) Conditions of workers generally.

(119) *Nature of Trade Union activities.*

(i) Mutual aid benefit schemes : unemployment : sickness : old age : strike pay.
(ii) Other activities.

(120) *Individual Trade Unions.*

(i) History.
(ii) Attitude of workers and extent of their control.
(iii) Attitude of employers and relations with them.

(121) *Trade Unions Act, 1926.*

(i) Extent to which utilised.
(ii) Effects.
(iii) Possible amendments.

(122) *Miscellaneous questions regarding Trade Unions.*

(i) Methods of negotiation between employers and employed.
(ii) Results of attempts at co-operation between employers and employed to increase efficiency of production.
(iii) Position of employees in State industrial concerns in relation to general Trade Union movement.

XV. Industrial Disputes.

(123) *Extent of strikes and lock-outs.*

(i) Causes.
(ii) Duration and character.
(iii) Nature and methods of settlement.
(iv) Loss to industry and workers.

(124) *Conciliation and arbitration machinery.*

(i) Results of previous investigations.
(ii) Part played by official or non-official conciliators in settling disputes.
(iii) Use (if any) made of Employers' and Workmen's Disputes Act, 1860.
(iv) Joint standing machinery for regulation of relations between employers and workpeople.
(v) Opportunity afforded to workpeople of making representations.
(vi) Applicability to Indian conditions of Industrial Court, Trade Boards, Joint Industrial Councils.

(125) *Trades Disputes Act.*

(126) *Attitude of Government*—

(i) Towards trade combinations.

(ii) In connection with industrial disputes.

XVI. Law of Master and Servant.

(127) *Effect of repeal of Workmen's Breach of Contract Act.*

(128) *Types of contract commonly in use.*

(129) *Extent to which (i) Civil, (ii) Criminal law is available and used for enforcement.*

(130) *Madras Planters Labour Act, 1903.*

(131) *Coorg Labour Act.*

(132) *Employers' and Workmen's Disputes Act*: Is it used ?

XVII. Administration.

(133) *Central and Provincial Legislatures.*

Action and attitude on labour questions.

(134) *International Labour Organisation.*

(i) Ratification of Conventions and action taken.

(ii) Its effect on legislation, etc.

(135) *Relations between Central and Local Governments.*

(136) *Administrative authorities in various Governments.*

Work of special labour offices or officers.

(137) *Effect of differences in law or administration in Indian States and British India.*

(138) *Acquaintance of workpeople with factory legislation.*

(139) *Factory inspection.*

(i) Adequacy of staff.

(ii) Uniformity of administration in different Provinces.

(iii) Rigour and efficiency of administration.

(iv) Prosecutions and their result.

(140) *Mines inspection.*

(i) Adequacy of staff.

(ii) Rigour and efficiency of administration.

(iii) Prosecutions and their result.

(141) *Railways (State and Company).*

Administration of questions affecting personnel.

(142) *Plantations, docks and other industrial establishments.*

Extent and nature of inspection.

XVIII. Intelligence.

(143) *Existing statistics.*

(i) Extent and use.

(ii) Method of collection.

(iii) Degree of accuracy.

(144) *Possibility of improvement in statistics.*

(145) *Nature of special investigations conducted.*

(i) Cost of living enquiries.

(ii) Results achieved.

(146) *Future developments necessary.*

B.—SUPPLEMENTARY QUESTIONNAIRE.

Letter No. L. C. 5 (1), dated Simla, the 7th April 1930, from S. Lall, Esq., I.C.S., Joint Secretary, Royal Commission on Labour in India, to All Local Governments and Administrations excluding the North-West Frontier Province and Baluchistan.

The Royal Commission on Labour is about to complete the first stage of its enquiry and the Chairman and Members feel that, while Local Governments and others have taken great care and trouble in the preparation of memoranda and written statements, which have proved invaluable, the information evoked by the list of subjects circulated last year is in certain directions hardly sufficient to enable them adequately to discharge the terms of their reference. They would be greatly obliged, therefore, if the Local Government could supplement their evidence in two respects before the Commission completes its enquiry next cold weather and commences the writing of its report.

2. The Commission is required by its terms of reference to enquire into and to report on the standard of living of the workers. A full discharge of this part of its reference would involve the collection and preparation of statistics based on family budget enquiries on a scale which has so far been attempted only in a few centres such as Bombay, Sholapur, Ahmedabad and Rangoon. No adequate statistics of the kind are available in regard to other important centres. It has therefore been decided to lay the position before Local Governments and to ask for such data as it may be possible to provide by the commencement of next cold weather. The decision as to the material which can be produced in the time must rest with the Governments concerned and this letter is to be regarded in the light of a supplementary questionnaire asking for information in regard to the standard of living of the workers. The Commission does not wish to prescribe any particular procedure for securing this information but it feels that it may be helpful if Local Governments are given some indication of the lines upon which, in the opinion of the Commission, a useful enquiry, practicable within the time, could be undertaken by Local Governments.

3. The Commission fully appreciates the fact that a full enquiry on the lines of those recently conducted at Ahmedabad and Rangoon is out of the question within the time available, more especially as such an enquiry would necessitate considerable preliminary training of staff. Failing a comprehensive enquiry, whose results would be subject to scientific statistical treatment, the Commission would welcome the collection of particulars indicated by the schedule enclosed in regard to typical working class families, which would be useful for purposes of illustration when they come to report on matters referred to them. The object is to secure information regarding some poorer working families in order to supplement the information that the Commission has gained as a result of its tour. On a number of occasions questions have been put to industrial workers designed to elicit information of the type contemplated in the schedule. But it is not easy in such matters for a large body like the Commission to obtain particulars of value or to test the information supplied, and in any case the time at its disposal during this winter's tour has been insufficient to obtain all the information it would like to have in this direction. The Commission is therefore anxious to secure through the agency of the Local Governments evidence of the same character as it might itself have secured if it had had a much longer time at its disposal and had been able to obtain from a number of witnesses information of a somewhat intimate character regarding their manner of life.

4. The value of this enquiry will depend on the accuracy of the information collected and the representative character of the families selected for investigation. The Commission, therefore, attaches greater importance to quality than to quantity provided care is exercised in obtaining representative samples. The method of sampling is of the greatest importance and the smaller the number of budgets collected the more dependent is the result on the judicious selection of the sample. The

Commission therefore suggests that the selection of families should be made on some systematic method of sampling to be determined after a preliminary survey of the field. The Commission realises that a choice may have to be made between adequate illustration of the conditions in a narrow field and random instances drawn from a larger population and it takes the view that the results are more likely to be valuable if the workers belong to one typical establishment in a single industrial centre, or at most to a few establishments rather than to a larger number of widely separated centres and industries. Further, the chances of securing representative budgets would be very much greater if the enquiry is restricted to the poorer working class families. Wage rates differ in the various parts of the country and it is difficult to name a uniform figure as the family income limit above which the Commission does not wish to go but generally it would prefer budgets of families whose combined income is not above Rs. 50 per mensem.

The Commission trusts that the Local Government, if suitable information is not already available to them, will find it possible to conduct an enquiry on the lines suggested and to furnish the results to the Commission appending such notes as they may think fit to indicate the manner in which the enquiry was conducted, the method of sampling adopted and any conclusions which they may have drawn from its results. The Commission understands that some enquiries of the kind have been conducted by University professors, economists and social workers. There is, of course, no objection to the utilisation of non-official agencies for the purpose of assisting in this enquiry. It is hoped, however, that every effort will be made to see that the information furnished is as accurate as possible and based on actual facts.

5. Another matter in which the Commission is anxious to enlist the co-operation of the Local Government in securing additional information is in regard to the factories which are not governed by the provisions of the Indian Factories Act. These factories come under the following two categories :—

(1) factories using power but employing less than 20 persons at one time ;

(2) factories and workshops not using power.

The Commission will have to consider to what extent it is desirable to bring these establishments under official control, and for this purpose it is anxious to obtain fuller information than it has hitherto received. It would therefore be glad if the Local Government could help in this matter by furnishing particulars regarding the industries which are being carried on in unregulated establishments, the number of such establishments, the numbers of men, of women and of children employed in them, the conditions under which they are employed, with particular reference to their earnings and hours of work, the minimum ages of the children in employment and the effect which employment has on their health. In regard to factories using power but employing less than 20 persons information is also desired as to whether, owing to lack of proper precautions for the fencing of machinery, the workers are exposed to any undue risks. The information required need only deal with—

(*a*) factories using power and employing 10 or more persons on any one day in the year ;

(*b*) factories and workshops not using power and employing 50 persons or more on any one day in the year ; and

(*c*) smaller factories and workshops engaged in any particular industry which in the aggregate employs a considerable number of hands.

The Commission would also be glad to know what additional staff the Local Government consider would be required for the inspection of each of these classes.

6. The Commission realizes that the above requests for additional information will involve a considerable amount of trouble to the Local Government, but it feels that, in view of the importance of the subjects with which they deal and the incompleteness of the information which has so far been obtained on them, it is necessary to obtain further information. I am to request that the supplementary information now desired may be forwarded to the Commission as soon as it is collected and in any case not later than the 15th October 1930. It would be convenient if it could be embodied in a supplementary memorandum, 40 copies of which may be forwarded for the use of the Members.

SCHEDULE.

Standard of Living.

(*Note.*—Information is required on the heads given below only in regard to a small number of representative working class families in important industries and plantations whose total family income does not exceed Rs. 50 a month.)

(1) *Industrial centre or plantation*—

Name of the head of the family—
Religion and caste—
Province and district of origin—
Cause of migration—

(2) *Size and composition of family* :—

—	Numbers.				Ages of		Relationship to the head of the family.
	Men.	Women.	Boys.	Girls.	Boys.	Girls.	
Wage earners .. .. Dependants residing with wage earners. Dependants residing elsewhere.							

Note.—Persons under 15 should be treated as boys or girls.

(3) *Extent of literacy*—

(4) *Regularity of employment of wage earners*—

(5) *Normal monthly family income*—

(a) Occupation of each wage earner.	Monthly wages.	Monthly overtime pay.	Additional earnings, if any, with source.	Total.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Men .. .. .. 1.				
2.				
3.				
Women .. .. 1.				
2				
3.				
Boys .. .. .. 1.				
2.				
3.				
Girls .. .. .. 1.				
2.				
3.				
Total amount of family income		Rs.		

(a) *Occupation.*—The description of the occupation should be as definite as possible. Thus cotton mill worker is too general. The particular occupation should be specified, for example cotton weaver or cotton spinner, or again, not mechanic but fitter, blacksmith, etc., whatever it is.

(6) *Normal monthly expenditure of family on* :—

(*i*) Food, giving quantities of principal articles of food consumed in a month and cost of each—
(*ii*) Clothing—
(*iii*) Rent—
(*iv*) Fuel and lighting—

(v) Household requisites, *e.g.*, utensils, etc.—
(vi) Miscellaneous expenditure including—
(a) Remittances to dependants living in the village—
(b) Travelling to and from place of employment—
(c) Medicine and medical fees—
(d) Drink and drugs—
(e) Tobacco and *pan supari*—
(f) Religious observances, feasts and festivals—
(g) Payments to provident fund, trade union or co-operative society—
(h) Amusements and recreation—
(i) Education—
(j) Interest on debt—

(7) *Indebtedness*—
(i) Extent of indebtedness—
(ii) Causes. To what extent due to expenditure incurred on—
(a) Festivals—
(b) Marriages—
(c) Funerals—
(d) Sickness—
and (e) Unemployment—
(iii) Rate of interest; Nature of security on outstanding loans; Terms of repayment—

(8) *Housing*—
(i) Description of dwelling; materials used in construction—
(ii) Landlord*—
(iii) Distance from place of work—
(iv) Number of rooms occupied by family and approximate dimensions of each room—
(v) Dimensions of verandah, if any—
(vi) Water-supply—
(vii) Sanitation—

APPENDIX III.

LIST OF WITNESSES EXAMINED ORALLY IN PUBLIC SESSION BY THE ROYAL COMMISSION ON LABOUR IN INDIA.

Karachi, October 12th-17th, 1929.

1. Mr. C. S. C. Harrison, C.I.E., M.I.E., I.S.E. — Chief Engineer, Lloyd Barrage and Canals Construction.
2. Mr. T. S. Downie, O.B.E. .. Chairman } Karachi Port Trust.
3. Mr. Jamshed N. R. Mehta .. Vice-Chairman } Karachi Port Trust.
4. Dr. Tarachand J. Lalwani .. } 1. Indian Seamen's Union, 2. Karachi Port Labour Union, and 3. Karachi Port Trust Labour Union.
5. Mr. Mulchand M. Kirpalani .. }
6. Mr. R. K. Sidhwa .. .. Representative of Flour Mills Labour in Karachi.
7. Mr. Minocher Cowasji .. of Messrs. Cowasji and Sons, stevedores.
8. Miss R. Piggott .. .. Honorary Secretary, Dais' Improvement Scheme, Hyderabad (Sind).

Khewra, October 20th-22nd, 1929.

9. Ali Haidar .. .. .. } Khewra Salt Miners.
10. Habib Khan.. .. .. }
11. A representative of the workshop men of the Khewra Salt Mines.
12. Mr. A. L. Hoyle, I.C.S. .. Commissioner, Northern India Salt Revenue.
13. Mr. C. H. Pitt .. .. Manager, Khewra Salt Mines.

* State whether Government, Municipal, Employer or Private Landlord.

Lahore, October 24th-28th, 1929.

14. Mr. W. R. Wilson, I.C.S. .. Revenue Secretary to the Government of the Punjab.
15. Mr. W. H. Abel .. .. Inspector of Factories, Punjab and the North-West Frontier Province.
16. Dr. R. C. Rawlley .. .. .. Director of Industries, Punjab.
17. Mr. Ladik Ram .. ..
18. Mr. Shivram Das Randev .. } N. W. Railway Union.
19. Mr. M. A. Khan, President and General Secretary
20. Mr. M. D. Akhtar, Financial Secretary .. } General Workers' Union, N. W. Railway.
21. Colonel C. S. M. C. Watson, D.S.O., O.B.E., Chief Operating Superintendent.
22. Mr. A. K. Muirhead, Deputy Agent (Personnel) } N. W. Railway.
23. Lieut.-Colonel C. A. Gill, D.P.H., I.M.S., Director of Public Health, Punjab.
24. Mr. R. J. S. Dodd, I.C.S., Registrar of Co-operative Societies, Punjab.

Amritsar, October 29th, 1929.

25. Mr. George Stevens .. ..
26. Mr. Gerald Alfred Davies .. } East India Carpet Company, Limited.
27. Muhammad Ramzan .. ..
28. Rajbai .. .. .. } Master Weavers (Carpet Factory).

Delhi, November 2nd-8th, 1929.

29. Mr. Mehtab Singh, Industrial Surveyor.
30. Mr. P. Mukerjee .. ..
31. Mr. W. R. Taylor .. ..
32. Mr. Shri Ram .. .. } Punjab Chamber of Commerce.
33. Rai Bahadur Baisakha Singh, Contractor.
34. Major J. R. D. Webb, O.B.E., I.M.S., Health Officer.
35. Nanna, son of Elahi Bakhsh, Worker.
36. Para .. .. ..
37. Kallie .. .. .. } Women workers.
38. Mr. J. A. Woodhead, I.C.S., Secretary to the Government of India, Department of Commerce.
39. Mr. E. E. Coombs, O.B.E., Controller of Printing and Stationery, Government of India.
40. Mr. J. A. Shillidy, I.C.S., Secretary to the Government of India, Department of Industries and Labour.
41. Mr. A. M. Rouse, C.I.E., Chief Engineer, Public Works Department.
42. Dr. Ruth Young of the Countess of Dufferin's Fund.
43. Mr. T. G. Russell, Chief Commissioner, Railways.
44. Mr. A. A. L. Parsons, C.I.E., I.C.S., Financial Commissioner, Railways.
45. Mr. A. M. Hayman, O.B.E. ..
46. Mr. H. A. M. Hannay .. } Members, Railway Board.
47. Lieutenant-General Sir Edwin de V. Atkinson, K.C.B., K.B.E., C.M.G., C.I.E., Master General of Ordnance in India.
48. Mr. Abdus Subhan .. ..
49. Mr. Abdur Rahman .. .. } Workers in the Government of India Press.

Ajmer, November 11th-12th, 1929.

50. Mr. B. S. Pathik, General Secretary .. ..
51. Mr. H. L. Sharma .. .. .. } B. B. and C. I. Railway Workers' Federation and Indian Apprentices Association.
52. Mr. H. Armitstead, M.B.E., V.D., Carriage and Wagon Superintendent.
53. Mr. E. C. H. Condon, V.D., Engineer-in-Chief.
54. Mr. C. G. Cotesworth, V.D., Acting Locomotive Superintendent.
55. Colonel H. F. Hobbs, D.S.O., M.C., Staff Officer. } B. B. and C. I. Railway (Metre Gauge).

56. Rai Sahib Chandrika Prasad.
57. Miss J. E. Copeland, M.A.
58. Mr. Kanhaiyalal Gergiya.
59. Mr. A. Lyons .. } Anglo-Indian and Domiciled European employees
60. Mr. N. T. Duffy .. } on the B. B. and C. I. Railway.

Ahmedabad, November 14th-18th, 1929.

61. Dr. Jacob Solomon, Honorary Secretary.. .. } Sanitary Association.
62. Colonel B. H. Nanavati, C.I.E., Vice-President .. }
63. Mr. W. H. Phillips, Inspector of Factories.
64. Mr. Chaman Lal G. Parekh, President .. .. }
65. Mr. Sakarlal Balabhai, Vice-President .. .. }
66. Mr. Shantilal Mangaldas .. .. .. } Ahmedabad Mill-owners' Association.
67. Mr. Kasturbhai Lalbhai .. .. .. }
68. Mr. Gordhandas J. Patel .. .. .. }
69. Seth Ambalal Sarabhai of the Ahmedabad Manufacturing and Calico Printing Company, Limited.
70. Mr. Meswane .. }
71. Mr. Kautekar .. } Textile Brotherhood, Ahmedabad.
72. Mr. Manohar .. }
73. Miss Dina Cama, Gujerat Constituency of the All-India Women's Conference.
74. Mr. N. D. Mehta, Chairman, Standing Committee of the Ahmedabad Municipality.
75. Munshi Manzar Ali .. } Weavers in Ahmedabad.
76. Sheikh Abdul Wahid .. }

Bombay, November 21st—December 3rd, 1929.

77. Mr. R. B. Ewbank, C.I.E., I.C.S., Secretary to the Government of Bombay, General Department.
78. Mr. J. F. Gennings, Director, Labour Office.
79. Mr. H. M. Robottom, Acting Shipping Master.
80. Mr. R. R. Sonalker, Recruiting Officer.
81. Mr. S. C. Joshi .. .. } G. I. P. Railway Staff Union.
82. Mr. P. S. Bakhle .. .. }
83. Mr. Mohammed Ebrahim .. }
84. Mr. A. B. Moraes .. .. } Indian Seamen's Union.
85. Mr. P. G. Kanekar .. .. }
86. Mr. J. P. Lobo, B.A., LL.D. .. } Bombay Seamen's Union.
87. Mr. Patrik DeSa .. .. }
88. Mr. T. W. Johnstone, M.B.E., Chief Inspector of Factories.
89. Mr. R. J. Tata, Certifying Surgeon.
90. Mr. R. R. Bakhale, General Secretary .. }
91. Mr. Mohammed Umar Rajb, Vice-President }
92. Mr. Mohammed Isakh .. . .. } Bombay Textile Labour Union.
93. Mr. Abdul Rahim .. .. .. }
94. Mr. D. H. Patel .. .. .. }
95. Mr. Abdul Khan .. .. .. }
96. Sir Ernest Jackson, Kt., C.I.E., Agent .. }
97. Mr. H. P. Ball, General Traffic Manager }
98. Mr. J. A. Jones, Chief Engineer .. }
99. Mr. J. J. C. Paterson, Loco and Carriage Superintendent .. .. .. } B. B. & C. I. Railway.
100. Dr. Scoresby Jackson, Chief Medical Officer }
101. Mr. G. H. Kennedy, Secretary to Agent .. }
102. Mr. J. D. Antia, Auditor and Chairman, Co-operative Credit Society. }
103. Mr. C. W. A. Gidney, President } National Union of Railwaymen of India and Burma.
104. Mr. H. T. Wilson .. .. }
105. Mr. J. Turner .. .. }

Witness	Organisation
106. Mr. D. S. Burn, Agent	G. I. P. Railway.
107. Mr. A. Richardson, Deputy Chief Mechanical Engineer	
108. Mr. P. Wood, Acting Deputy Agent (Staff)	
109. Mr. C. G. Limpus, Deputy Transportation Superintendent	
110. Mr. W. T. Griffiths, Divisional Traffic Manager	
111. Mr. V. R. Kundunmal, Assistant Deputy Agent	
112. Mr. P. L. Stallard, Acting Principal Medical and Health Officer	
113. Dr. M. I. Balfour, C.B.E., M.B., C.M.	Haffkine Institute, Bombay.
114. Dr. Shakuntala K. Talpode, M.B., B.S.	
115. Dr. J. E. Mistri, Secretary	Bombay Council of Social Workers.
116. Mr. K. J. Dubash	
117. Dr. C. A. Manshardt	
118. Dr. P. N. Daruwalla	
119. Miss I. Wingate	Bombay Representative Christian Council and National Christian Council of India.
120. Mr. Bryant	
121. Mr. H. P. Mody, Chairman	Bombay Millowners' Association.
122. Sir Manmohandas Ramji	
123. Mr. S. D. Saklatwala	
124. Mr. T. Maloney, Secretary	
125. Mr. J. Parker, President	Bombay European Textile Association.
126. Mr. R. Blackwell, Hony. Secretary	
127. Mr. J. B. Green	
128. Mr. L. R. Tairsee	Indian Merchants' Chamber.
129. Mr. Manu Subedar	
130. Mr. J. K. Mehta	
131. Mr. G. L. Winterbotham, President	Bombay Chamber of Commerce.
132. Mr. G. H. Cooke	
133. Mr. R. J. F. Sulivan, Secretary	
134. Mr. P. G. Kanekar, Social Service League.	
135. Principal Sohrab R. Davar	Bombay Shareholders' Association.
136. Mr. Jangmohandas J. Kapadia	
137. Mr. D. R. Mayekar	Girni Kamgar Mahamandal.
138. Mr. N. R. Kulkarni	
139. Mr. W. H. Neilson, Chairman	Bombay Port Trust.
140. Mr. G. E. Bennett, Chief Engineer	
141. Mr. C. N. Rich	
142. Mr. MacMurray	
143. Mr. F. Stones, Superintendent of Mills, E. D. Sassoon & Co., Ltd.	

Jalgaon, December 4th, 1929.

Witness	Organisation
144. Mr. P. J. Arjaria, Agent, Khandesh Mills.	
145. Maruti Mairaji Sindhi	Weavers in Pressing Factory.
146. Narsu Tukaram	
147. Krishna Tukaram	
148. Saini	Women workers in Pressing Factory.
149. Jangli	
150. Pathani	
151. Italabai	

Akola, December 6th, 1929.

152. Mr. H. K. Agarwal, M. A. Manager, The Akola Cotton Mills, Ltd.
153. Mr. Khandare, representative of the Depressed Classes.
154. Mr. Khedkar, representative of the Non-Brahmins.

Nagpur, December 7th-10th, 1929.

155. Mr. N. J. Roughton, I.C.S., Financial Secretary to the Government of the Central Provinces.
156. Mr. R. N. Banerjee, I.C.S., Director of Industries.

157. Mr. C. N. Frankau, Chief Inspector of Factories.
158. Mr. C. M. Trivedi, I.C.S., Deputy Commissioner, Nagpur.
159. Mr. P. V. Chance, Officiating Superintending Engineer, Hasedeo Circle.
160. Major C. M. Ganapathy, I.M.S., Offg. Director of Public Health.
161. Radhabhai Nimbalker
162. Bhurkabai Kapuskar — Women workers in the Model Mills.
163. Savitrabai Dhargaone, Woman worker in the Empress Mill No. 5.
164. Mr. Gavai, M.L.C., representative of the Depressed Classes.
165. Mr. Netade, worker
166. Mr. Jaivland Maniram, weaver — Model Mills.
167. Mr. Krishnaswamy, Assistant Secretary
168. Mr. B. Balaji, Press worker — Press Employees' Association.
169. Mr. G. M. Thawre
170. Mr. L. N. Hardas — Workers in the *bidi* factories.
171. Mr. Punj Lall, Contractors' Agent, Kandri Mines.
172. Poona Ram
173. Guman
174. Dakalu
175. Baldeo
176. Shuneya
177. Sahibin
178. Parpada
179. Jagohata
180. Chhoti
181. Phaguni
182. Phulmati — Workers in the Kandri Mines.
183. Sir Sorabji B. Mehta, C.I.E., Manager, Empress Mills.
184. Mr. J. L. Mott.
185. Mr. S. C. L. Nasir, Senior Y. M. C. A. Secretary of the Empress Mills Welfare Work.
186. Mr. R. C. Riley, of the C. P. and Berar Mining Association, Kamptee.
187. Laxman Gambirji Narayan, worker in Empress Mill No. 2
188. Muhammad Akbar, weaver
189. Daulat, worker in Model Mill
190. Harichand
191. Radha Bai — Workers in the Empress Mills
(187–191) — Textile Labour Union, Nagpur.

Cawnpore, December 11th-17th, 1929.

192. Mr. W. G. Mackay, M.B.E., Chief Inspector of Factories and Boilers.
193. Lt.-Colonel L. C. Larmour, I.A., Superintendent, Harness and Saddlery Factory.
194. Lt.-Colonel C. L. Dunn, C.I.E., D.P.H., I.M.S., Director of Public Health.
195. Dr. Trivedi, Municipal Health Officer
196. Mr. J. M. Lownie, Vice-President
197. Mr. H. A. Wilkinson
198. Mr. W. R. Watt, M.A., B.Sc., D.I.C., F.G.S.
199. Mr. A. C. Inskip, O.B.E.
200. Mr. C. H. Mattison
201. Mr. J. G. Ryan, M.B.E., V.D., Secretary — Upper India Chamber of Commerce.
202. Mr. J. C. Donaldson, M.C., I.C.S. — Deputy Secretary to Government of the United Provinces, Industries Department.
203. Mr. S. P. Shah, I.C.S. — Director of Industries.
204. Mr. G. M. Harper, I.C.S. — Collector of Gorakhpur.
205. Dr. Radha Kamal Mukerjee, M.A., Ph.D. — Professor of Economics and Sociology, Lucknow University.
206. Mr. J. P. Srivastava, M.L.C. — Chairman
207. Rev. C. H. Mattison — Trustee
208. Mr. A. Roland Price, M. I. M. and Cg. E. — Chief Engineer — Improvement Trust.

209. Achchha Singh and others of the Harness and Saddlery Factory Labour Union.
210. Mr. Ghasita .. .. .. } Workers in the Textile Mills, Cawnpore.
211. Mr. Munir .. .. .. }

Patna, December 19th-20th, 1929.

212. Mr. J. R. Dain, I.C.S. .. Officer on Special Duty with the Government of Bihar and Orissa.
213. Mr. H. E. Horsfield .. .. Registrar of Trade Unions.
214. Mr. D. C. Gupta .. .. Director of Industries.
215. Mr. H. W. Brady .. .. Chief Inspector of Factories.
216. Mr. W. B. Brett, I.C.S. .. Financial Secretary to the Government of Bihar and Orissa.
217. Babu Bhagwat Prasad Jayaswal of the Bihar and Orissa Chamber of Commerce.
218. Mr. Arikshan Sinha .. .. General Secretary, the Bihar Provincial Kisan Sabha.

Kodarma, December 21st-22nd, 1929.

219. Akli Ghatwalin .. .. } Female Workers in the Locai Factory.
220. Balia Goalin .. .. }
221. Suhuri Musahar .. .. }
222. Karim Miah .. .. } Male Workers in the Locai Factory.
223. Etwari Kandoo .. .. }
224. Jhamou Hazam .. .. }
225. Mahabir Singh .. .. }
226. Mr. E. Crellin .. .. } Kodarma Mica Mining Association.
227. Mr. D. B. Sahana .. .. }

Silchar, January 3rd-6th, 1930.

228. Mr. J. S. Mercer .. .. Manager, Arcuttipore Tea Estate.
229. Phul Biasai and another Woman worker of the Arcuttipore Tea Estate.
230. Dr. G. C. Ramsay, O.B.E., M.D. (Edin.) Medical Officer to the Labac Medical Practice.
231. Patchoo .. .. .. } Sardars of the Bundoo Tea Gardens.
232. Bonamali .. .. .. }
233. Mr. L. A. Healey .. .. Manager, Bundoo Tea Estate.
234. Mr. J. K. Cullinan .. .. Superintendent, Diwan Division, Tarrapore Tea Co., Ltd.
235. Kashia Ram .. .. Worker, Bundoo Tea Gardens.
236. Mr. J. W. R. McWha .. .. Superintendent of the Labac Division, Tarrapore Tea Company.
237. Mr. A. F. Stuart .. .. Chairman .. } Surma Valley Branch of the Indian Tea Association.
238. Mr. G. E. Rayner, M.L.C. .. .. .. }
239. Mr. B. Gupta .. .. }
240. Mr. G. D. Walker, I.C.S. .. Deputy Commissioner of Cachar.
241. Rev. E. R. Singh.

Panchgram, January 7th, 1930.

242. Ram Prasad Goala .. .. Worker, Panchgram Oil Wells.
243. Mr. D. P. Trench .. .. Field Agent, Panchgram Oil Wells of the Burmah Oil Co., Ltd.

Jorhat, January 8th-14th, 1930.

244. Sham Kamar .. .. } Workers on the Moabund Tea Estate.
245. Oti Goa of Tara Khul .. }
246. Kataur (Khond) .. .. }
247. Mr. J. B. Leonard .. .. Manager, Moabund Tea Estate.
248. Mr. L. N. Sarma .. .. Manager, Rowriah Tea Estate.
249. Mr. F. McAllister .. .. General Manager, The Assam Oil Co., Ltd., Digboi.
250. Mr. D. S. Withers .. .. Manager, Dessai and Parbattia Tea Company.

No.	Name	Designation	
251.	Khudiran	Worker	Cinnamara Tea Gardens.
252.	Butan	Sardar	
253.	Mr. J. H. Copeland	Manager, Cinnamara Tea Estate.	
254.	Mr. C. K. Besboruah	Manager, Bolama Tea Estate.	
255.	Kadamoni	Woman worker	Boloma Tea Estate
256.	Bhano	Woman worker	
257.	Chuttan	Worker	
258.	Mst. Miriam	Woman Worker	
259.	Suleman	Worker	
260.	Babu J. Chakravarti	Doctor	
261.	Ramswami	Worker	
262.	Mr. W. G. McKercher	Chairman	Assam Branch of the Indian Tea Association.
263.	Mr. J. M. Kilburn	Vice-Chairman	
264.	Mr. E. J. Nicholls	..	
265.	Mr. E. S. Roffey	..	
266.	Dr. McCombie	..	
267.	Mr. T. A. Chalmers, M.L.A.	Superintendent, Bazaloni Tea Co., Ltd.	
268.	Ram Dat Kurmi	Workers in the Meleng Tea Estate.	
269.	Ram Autar Pasi		
270.	Autar Kori, Ten male, Workers		
271.	Kundhan		
272.	Kirodhar		
273.	Chembeli		
274.	Nanee Dasi Ghasi		
275.	Mr. R. H. S. Oliver	Manager, Meleng Tea Estate.	
276.	Mr. James Fraser	Manager, Hunwal Tea Co.	
277.	Christine	Woman Sardar	Mariani Tea Estate.
278.	Kunda	Worker	
279.	Nanhu	Worker	
280.	Mr. K. Cantlie, I.C.S.	Deputy Commissioner, Sibsagar.	
281.	Dr. Percy Foster	Medical Officer, Badlipar Medical Association.	
282.	Rev. D. J. Tirthi, of Deogharia.		

Shillong, January 16th-18th, 1930.

No.	Name	Designation	
283.	Mr. A. J. Laine, C.I.E., I.C.S.	Officer on Special Duty with the Government of Assam.	
284.	Lt.-Col. T. D. Murison, I.M.S.	Director of Public Health.	
285.	Mr. F. C. King, I.C.S.	Chairman, Assam Labour Board.	
286.	Mr. J. Insch, M.L.C.	Chairman	Indian Tea Association.
287.	Mr. T. C. Crawford	Vice-Chairman	
288.	Mr. J. A. Milligan	Tea Districts Labour Association.	
289.	Lt.-Col. D. S. Mackay		

Gauhati, January 19th, 1930.

No.	Name	Designation	
290.	Rashid	Worker	Examined at the Forwarding Agency for recruits to Assam.
291.	Sapti	Woman Sardar	
292.	Jalaon	Worker	
293.	Badlu	Worker	
294.	Bachan	Worker	
295.	Mr. M. N. Balial	Agent Baboo	
296.	Samuj	Worker	
297.	Parabti	Woman worker and a number of other workers.	

Baradighi Tea Estate, Dooars, January 20th, 1930.

No.	Name	Designation
298.	Barsi (wife of Ledwa)	Baradighi Tea Estate.
299.	Itwari (wife of Lachman) and two other women workers.	

No.	Name	Designation	Organisation
300.	Bhirsa (son of Mangra) ..		Workers on the Baradighi Tea Estate.
301.	Surajmoni (wife of Goolia) ..		Workers on the Baradighi Tea Estate.
302.	Barsi (wife of Lakhan) and two women workers and a party of men workers returning from work		Workers on the Baradighi Tea Estate.
303.	Abiram		Workers on the Baradighi Tea Estate.
304.	Suleman		Workers on the Baradighi Tea Estate.
305.	Rakiya		Workers on the Baradighi Tea Estate.
306.	Mr. G. L. Haig	Chairman	Dooars Planters' Association.
307.	Mr. W. L. Travers, C.I.E., O.B.E., M.L.C.		Dooars Planters' Association.
308.	Dr. O. McCutcheon, M.B. ..	Secretary	Dooars Planters' Association.

Debpara Tea Estates—Dooars, January 21st, 1930.

No.	Name	Designation	Organisation
309.	Mr. J. C. Ghose	Vice-Chairman.	Indian Tea Planters' Association, Jalpaiguri.
310.	N. R. Ghose, M.A., B.L. ..	..	Indian Tea Planters' Association, Jalpaiguri.
311.	Mr. J. G. Guha	..	Indian Tea Planters' Association, Jalpaiguri.
312.	Phalini		Workers on the Debpara Tea Estate.
313.	Gondura		Workers on the Debpara Tea Estate.
314.	Budhu Chik		Workers on the Debpara Tea Estate.
315.	Dandu Ram		Workers on the Debpara Tea Estate.
316.	Mr. J. J. C. Watson	Manager	Gandrapara Tea Estate.
317.	Dr. M. Kermakar, L.M.F. ..	..	Gandrapara Tea Estate.

Asansol, January 23rd, 1930.

No.	Name	Designation
318.	A surface coal wagon loader (male), Bara Dhemo Colliery.	
319.	Saukli	Miners, Dhemo Main Colliery.
320.	Sukh Dev	Miners, Dhemo Main Colliery.
321.	Agla Das	Miners, Dhemo Main Colliery.
322.	Bansi Kurmi (with 14 other coal loaders)	Workers in the Dhemo Main Colliery.
323.	Uma Padan Mukherjee, Sarkar ..	Workers in the Dhemo Main Colliery.
324.	Gauri Shankar (with other coal loaders)	Workers in the Dhemo Main Colliery.
325.	Gazia	Workers in the Dhemo Main Colliery.
326.	Rajvaid	Workers in the Dhemo Main Colliery.
327.	Bilaspur	Workers in the Dhemo Main Colliery.
328.	Thakath	Workers in the Dhemo Main Colliery.
329.	Kanbaimanji	Workers in the Dhemo Main Colliery.
330.	Padara	Workers in the Dhemo Main Colliery.
331.	Lokhimanji	Workers in the Dhemo Main Colliery.
332.	Dr. S. K. Sircar, M.B., D.P.H. ..	Chief Sanitary Officer, Asansol Mines Board of Health.
333.	Dr. U. P. Chatterjee, M.B. ..	Chief Medical Officer, Eastern Coal Co., Ltd.
334.	Dr. Bonbehari Chattaraj, L.M.P.	Medical Officer, Dhemo Main Colliery.
335.	Mr. C. Heath	Manager, Dhemo Main Colliery.
336.	Mr. Sohan Singh	Contractors' Manager.
337.	Suku	Miners, Bhutdova Colliery.
338.	Hupna	Miners, Bhutdova Colliery.
339.	Mr. S. K. Samundar	Manager, Bhutdova Colliery.
340.	Phila Manjhi	Trammer — West Niga Colliery.
341.	Panu	Mistri .. — West Niga Colliery.
342.	Lakli Majin	.. West Niga Colliery.
343.	Maku Majin and a party of women workers	.. West Niga Colliery.

Dhanbad, January 24th-29th, 1930.

No.	Name	Description	Group
344.	Barjumain		Workers in the Loyabad Colliery.
345.	Jiwan Majhi		Workers in the Loyabad Colliery.
346.	Parbhu Majhi and three miners		Workers in the Loyabad Colliery.
347.	Nonkukal		Workers in the Loyabad Colliery.
348.	Chand Manji		Workers in the Loyabad Colliery.
349.	Mr. R. Fenwick	Manager	Loyabad Colliery.
350.	B. Jitu Ram	Attendance Clerk	Loyabad Colliery.
351.	Asumania		Women workers in the Loyabad Colliery.
352.	Mokshada		Women workers in the Loyabad Colliery.
353.	Ahalya		Women workers in the Loyabad Colliery.
354.	Sabodhi		Women workers in the Loyabad Colliery.
355.	Mr. K. K. Baksi	Manager, Kirkend Colliery.	
356.	Chakku Sow	Gangman	Kirkend Colliery.
357.	Bithal	Muchhi	Kirkend Colliery.
358.	Sobhi, Musahar	Loader	Kirkend Colliery.
359.	Ledou, Dosadh	Loader	Kirkend Colliery.
360.	Kolli	Woman worker with another woman.	Kirkend Colliery.
361.	Mr. P. C. Bose	Secretary	Indian Colliery Employees' Association, Jharia.
362.	Mr. B. Mitter		Indian Colliery Employees' Association, Jharia.
363.	Shani Cheria	Woman miner	Indian Colliery Employees' Association, Jharia.
364.	Chotan Kora	Miner	Indian Colliery Employees' Association, Jharia.
365.	Gobinda Gorai	Pumpman	Indian Colliery Employees' Association, Jharia.
366.	Nuni		Women workers in the Jealgora Colliery.
367.	Thakuri		Women workers in the Jealgora Colliery.
368.	Lilmoni		Women workers in the Jealgora Colliery.
369.	Sakaram		Men workers in the Jealgora Colliery.
370.	Karurai		Men workers in the Jealgora Colliery.
371.	Jarimeya		Men workers in the Jealgora Colliery.
372.	Mr. D. Black	Manager, Jealgora Colliery.	
373.	Mr. P. B. Dandekar	Raising Contractor, Jealgora Colliery.	
374.	Mr. J. E. Phelphs	Agent, Jealgora Colliery.	
375.	Mr. N. P. Thadani, I.C.S.	Chairman, Jharia Mines Board of Health; Chairman, Jharia Water Board and Commissioner, Workmen's Compensation.	
376.	Dr. Ryles	Chief Medical Officer, Jharia Mines Board of Health.	
377.	Mr. P. S. Keelan		Indian Mining Association.
378.	Mr. F. L. Cork		Indian Mining Association.
379.	Mr. R. Heron		Indian Mining Association.
380.	Mr. R. Purdy		Indian Mining Association.
381.	Jamuna (wife of Patia)		
382.	Patia	Miner	Workers in the Kujama Colliery.
383.	Kale Lohar	Miner	Workers in the Kujama Colliery.
384.	Mr. P. C. Mukherji	Manager, Kujama Colliery.	
385.	Bhuchi, woman coal carrier, Indian Jharia Colliery.		
386.	Mr. M. Bhattacharji, Manager, Central Junagora Colliery.		
387.	Pahgu, loading sardar		Central Junagora Colliery.
388.	Bengali Thekadar		Central Junagora Colliery.
389.	Mr. A. L. Ojha, M.L.C.		Indian Mining Federation.
390.	Rai Bahadur D. D. Thacker		Indian Mining Federation.
391.	Mr. J. Kirk, Superintendent, Jamadoba Colliery.		
392.	Hira Kharar		Miners, Jamadoba Colliery.
393.	Jasru Bhagat		Miners, Jamadoba Colliery.
394.	Chando		Miners, Jamadoba Colliery.
395.	Kheru		Miners, Jamadoba Colliery.

396. Mr. R. R. Simpson, C.I.E., Chief Inspector of Mines in India.
397. Mr. A. A. F. Bray .. .. } Calcutta representatives of the Indian Mining Association.
398. Mr. J. Thomas .. ..
399. Mr. T. Ord .. .. ..

Giridih, January 31st, 1930.

400. Sillumian .. .. .. } Miners, Serampur Colliery of the E. I. Railway Company.
401. Mauji Dhobi .. .. ..
402. Mr. W. T. Stanton, Manager, Serampur Colliery of the E. I. Railway Company.
403. Mr. H. Lancaster, Superintendent, E. I. Railway Colliery Department.
404. Dr. H. Mullick.
405. Mr. J. Brown, Assistant Superintendent, Bokhara E. I. R. and B. N. Joint Collieries.
406. Mr. A. D. Tuckey, I.C.S., Deputy Commissioner, Hazaribagh District.
407. Ugan, Sardar .. .. } Serampur Colliery.
408-409. Gangia Kamin, with her husband Ghansham, loader ..
410. Kailumia, Trolleyman ..
411. Kudirat Meyan ,, ..

Calcutta, February 3rd-19th, 1930.

412. Mr. K. P. Banerjee, } E. B. R. Indian Employees' Association.
413. Mr. J. N. Gupta,
414. Mr. P. Chakraborty,
415. Mr. Cameron, } Anglo-Indian and Domiciled European Employees of Railways.
416. Mr. Bastien,
417. Mr. Rigg,
418. Mr. Martston,
419. Mr. Backman,
420. Mr. Powell,
421. Mr. Lardner,
422. Mr. Wilson,
423. Mr. Atkinson,
424. Mr. P. H. Maflin, O.B.E., Agent, } E. B. Railway.
425. Mr. I. St. C. Pringle, Deputy Agent,
426. Mr. A. H. Joscelyne, Locomotive Superintendent,
427. Dr. H. Suhrawardy, Chief Medical Officer,
428. Mr. H. N. Parker, Officer on Special Duty,
429. Mr. H. A. Outhwaite, Statistical Officer,
430. Mr. V. P. Bhandarkar, Welfare Officer,
431. Mr. D. Ghose, Assistant Traffic Superintendent.
432. Mrs. A. Cottle, C.B.E., } Bengal Presidency Council of Women.
433. Dr. Headwards,
434. Mr. W. J. Herridge, Manager, Calcutta Claims Bureau.
435. Mr. M. H. B. Lethbridge, I.C.S., Commissioner for Workmen's Compensation, Bengal.
436-437. Tulsi and his wife, Tilasari, } Anglo-India (Middle) Jute Mill Co.
438. Habib, Woman worker,
439. Noor Mohamed, Line-sardar,
440. Kalik, Weaver,
441. Sorju, Line-sardar,
442. Karu, Spinner,
443. Rai Syama Charan Bhattacharya Bahadur, Vice-Chairman, Bhatpara Municipality.
444. Mr. K. C. Banerji, Executive Engineer, Presidency Division.
445. Mr. Surendera Nath, M.A., LL.B., Actg. President, } E. I. Railway Union, Moradabad.
446. Mr. Hikmat-Ullah, Bar.-at-Law, Chief Legal Adviser,
447. Mr. H. S. Bhatnagar, General Secretary,
448. Mr. K. N. Pandey, Assistant Station Master,

E. I. Railway.

449. Mr. C. L. Colvin, C.B., C.M.G., D.S.O., Agent,
450. Mr. F. E. Robertson, Chief Operating Superintendent,
451. Mr. R. L. Ray, Chief Mechanical Engineer,
452. Mr. A. V. Venables, Chief Engineer,
453. Dr. A. K. H. Pollock, Chief Medical Officer,
454. Mr. E. Cameron Ker, Deputy Chief Accounts Officer,
455. Mr. A. O. Evans, Deputy Agent,
456. Mr. M. Robertson, Secretary to Agent,
457. Mr. F. C. Badhwar, Employment Officer,
458. Mr. C. S. Whitworth, Chief Mining Engineer, Railway Board.

E. I. R. Labour Union, Lillooah.

459. Mr. Santi Ram Mondal,
460. Mr. Ram Autar,
461. Mr. Atal Behary Santra,
462. Mr. S. N. Shaw,
463. Mr. Ismail,
464. Mr. Ali Mohammad,
465. Mr. K. D. Chatterjee,
466. Mr. Hardin Shaha,

467. Mr. G. A. Young, General Manager, Indian Iron & Steel Co., Ltd.
468. Lt.-Col. B. H. Brown, Superintendent, Ishapore Rifle Factory.
469. Mr. R. T. Dunderdale, Superintendent, Metal & Steel Factory, Ishapore.
470. Mr. A. W. Connolly, Works Manager, Rifle Factory, Ishapore.
471. Mr. R. C. Frain, Works Manager, Metal and Steel Factory, Ishapore.
472. Lt.-Col. E. W. Sewell, I.M.S., Medical Officer to Factories and Estate.
473. Mr. K. K. Chakravarty, Labour Bureau Supervisor, Rifle Factory.
474. Mr. G. R. Dain, Agent, the Calcutta Tramways Company, Ltd.

B. N. Railway.

475. Mr. V. E. D. Jarrad, Agent,
476. Dr. Mozumdar (Medical Department),
477. Mr. Bazaz (Engineering Construction),
478. Mr. Chakrabartty (Engineering Open Line),
479. Mr. Khanna (Commercial Department),
480. Mr. Faroque (Transportation Department),
481. Mr. Chowdhury (President, Bengal Nagpur Railway, Urban Bank),
482. Dr. A. Martin-Leake, V.C., F.R.C.S.,

Press Employees' Association.

483. Mr. Prohlad Chandra Roy, Vice-President,
484. Mr. Indu Bhusan Sarcar, Organising Secy.,

485. Mr. R. N. Neish, Manager, Titaghur No. II Jute Mill.

Workers in the Titaghur No. II Jute Mill.

486. Prakash,
487. Mangrul,
488. Babuniya,
489. Muniya,
490. Jumrath,
491. Harilal,

Workers in the Standard Mills, Titaghur.

492. Gauri,
493. Muthialu,
494. Lachanao,
495. Abdul Hakim,

Indian Seamen's Union.

496. Mr. Mihbubul Huq, President,
497. Mr. Aftab Ally, General Secretary,

of Messrs. Bird & Company.

498. Mr. L. Mitchell,
499. Sir George Godfrey,

500. Mr. J. Smith, Assistant Manager, Burma Shell Installations, Budge Budge.
501. Mr. J. R. Farquarson, Manager, Calcutta Branch of the Burma Shell Oil Co.
502. S. C. Dass, Oil Worker, Burma Shell Oil Installations.
503. Mr. J. Sime, Managing Director, Messrs. Andrew Yule & Co,
504. Mr. G. Gorrie, Manager, Caledonian Jute Mills Co., Ltd.
505. Mr. Krishna Chunder Ray Chaudhuri, President, Kankinarah Labour Union.

506. Mr. R. B. Laird, M.L.C., Chairman, } Indian Jute Mills Association.
507. Mr. A. N. Mackenzie, } Indian Jute Mills Association.
508. Mr. W. D. Bruce-Watt, } Indian Jute Mills Association.
509. Mr. J. A. Murray, } Indian Jute Mills Association.
510. Mr. J. D. Paterson, } Indian Jute Mills Association.
511. Mr. Williamson, } Indian Jute Mills Association.
512. Mr. R. P. Adams, O.B.E., Chief Inspector of Factories, Bengal.
513. Mr. J. B. McBride, Senior Inspector of Factories, Bengal.
514. Mr. R. C. Parsons, Inspector of Factories, Bengal.
515. Mr. T. B. Glover, Inspector of Factories, Bengal.
516. Capt. W. O'Connor, Senior Certifying Surgeon of Factories, Bengal.
517. Dr. Chas. A. Bentley, C.I.E., M.B., D.P.H. D.T.M. & H., Director of Public Health.
518. Mr. F. C. Griffin, M.I.C.E., M.I.E. (Ind.), Chief Engineer, Public Health Department, Bengal.
519. Dr. M. E. Sufi, B.A., L.R.C.P. & S., D.P.H., Assistant Director of Public Health.
520. Dr. G. L. Batra, M.B., Ch.B., D.P.H., Assistant Director of Public Health.
521. Dr. B. C. Mukharji, M.B., D.P.H., Inspector of Septic Tank Installations.
522. Dr. A. C. Ray Chaudhury, D. P. H., Diet Survey Officer.
523. Mr. C. W. Gurner, I.C.S., Secretary to the Government of Bengal, Local Self-Government Dept.
524. Mr. H. J. Twynam, I.C.S., Secretary to the Government of Bengal, Revenue Department.
525. Mr. R. N. Gilchrist, M.A., I.E.S., Deputy Secretary to the Government of Bengal, Commerce and Marine Depts.
526. Mr. A. T. Weston, M.Sc., M.I.C.E., M.I.E. (Ind.), Director of Industries, Bengal.
527. Mr. J. A. Beale, Sub-Divisional Officer, Asansol.
528. Khan Bahadur Tasaddak Ahmed, Second Inspector of Schools, Presidency Division.
529. Rai Sahib Sushil Kumar Ganguly, Officiating Registrar, Co-operative Societies, Bengal.
530. Sir Charles Stuart-Williams, Kt., Chairman, Commissioners for the Port of Calcutta.
531. Mr. W. A. Burns, Traffic Manager, } of the Port of Calcutta.
532. Commander Norcock, Deputy Conservator, } of the Port of Calcutta.
533. Mr. H. F. Darvell, Shipping Master, Calcutta.
534. Mr. E. C. Benthall .. .. } Bengal Chamber of Commerce.
535. Mr. W. Gow .. .. } Bengal Chamber of Commerce.
536. Mr. D. K. Cunnison, Secretary .. } Bengal Chamber of Commerce.
537. Captain R. Liddle, Marine Department, B. I. S. N. Coy., Ltd.
538. Mr. R. Chakravarti .. .. } Bengal National Chamber of Commerce.
539. Mr. U. M. Bose .. .. } Bengal National Chamber of Commerce.
540. Mr. H. P. Ghose .. .. } Bengal National Chamber of Commerce.
541. Mr. J. H. Sen Gupta .. .. } Bengal National Chamber of Commerce.

Khargpur, February 20th, 1930.

542. Mr. Kanshi Nath Muttu .. } B. N. R. Indian Labour Union.
543. Mr. W. V. R. Naidu .. .. } B. N. R. Indian Labour Union.
544. Mr. P. Rama Chandra Rao .. } B. N. R. Indian Labour Union.
545. Mr. Somayajulu .. .. } B. N. R. Indian Labour Union.
546. Mr. A. N. Bose .. .. } B. N. R. Indian Labour Union.

Jamshedpur, February 21st-24th, 1930.

547. Mr. M. Homi, President .. } Labour Federation.
548. Mr. H. H. Sharma, Joint Secretary .. .. } Labour Federation.
549. Mr. Mangal Singh .. .. } Labour Federation.
550. Mr. Azimuddin .. .. } Labour Federation.

551. Mr. J. C. K. Peterson ..
552. Mr. C. A. Alexander .. ..
} Tata Iron and Steel Coy., Ltd.

553. Mr. J. Leyshon .. ..
554. Mr. H. D. Townend .. ..
555. Mr. W. O. Henderson ..
} Tinplate Company of India, Ltd., Golmuri Works.

Vizagapatam, February 25th-27th, 1930.

556. Mr. T. Austin, I.C.S., District Magistrate, Ganjam.
557. Sriman Sree Vikrama Deo Varma Mahasaya of Vizagapatam.
558. Captain F. R. Steele .. ..
559. Mr. L. S. Driver .. ..
} Local Agents of the Tea Districts Labour Association.
560. Mr. G. T. H. Bracken, I.C.S., District Magistrate and Agent to the Governor, Vizagapatam.
561. Abdur Rahman, Storeman ..
562. Noor Mohammad, Khalasi ..
563. Abdul Nabi, Tindal .. ..
564. Kaki Gurrappa, Worker ..
565. Sukama Ukkanna, Worker ..
566. Fazul Rahman, Oilman ..
567. Annapathrakimma, Woman Coal carrier.
568. Appallam, Woman Coal carrier
} Vizagapatam Harbour Works.
569. Mr. W. C. Ash Engineer-in-Chief
570. Mr. C. J. Smith, Mechanical Superintendent.
571. Major F. J. Anderson, I.M.S.. Chief Medical Officer.
572. Mr. P. A. M. Welchman, Office Superintendent.
573. Dr. K. Satyanarayana, Medical Officer.
} Vizagapatam Harbour Works.

Trichinopoly, February 27th, 1930.

574. A. Gopal .. .. ..
575. S. Joseph .. .. ..
576. Mutu Krishnan .. ..
577. Krishnan .. .. ..
578. S. Ramaswami .. ..
} Workers in the Golden Rock Workshops of the S. I. Railway.

Madura, February 28th—March 1st, 1930.

579. Subhammal .. .. ..
580. Kandallammal .. ..
581. Muthammal .. ..
582. Kaliammal, and two others ..
} Women workers in the Madura Mills.
583. Sadyan .. .. ..
584. Suppiah .. .. ..
585. Vyrahvan .. .. ..
586. Muniandi .. .. ..
} Men workers in the Madura Mills.
587. Mr. J. P. Rodriguez .. ..
588. Mr. Sankaranaraina Pillai ..
589. Mr. Kandaswami Pillai ..
} Tuticorin Labour Union.
590. Mr. S. R. Varadarajulu Naidu, Papanasam Union.
591. Mr. E. B. Cobbald, I.C.S., District Magistrate, Madura.

Madras, March 3rd-8th, 1930.

592. Mr. F. B. Wathen, Agent ..
593. Mr. C. C. Fink, Chief Auditor and Accountant.
594. Mr. H. D. Sinclair, Chief Transportation Superintendent and Traffic Manager.
} M. and S. M. Railway.

No.	Name	Organisation
595.	Mr. R. D. Thompson, Chief Mechanical Engineer.	M. and S. M. Railway.
596.	Mr. J. A. Cruickshank, Chief Medical Officer.	
597.	Mr. G. Charlton, Deputy Agent	
598.	Mr. W. E. Marsh, Press Superintendent.	
599.	Mr. N. Grayson, Architect ..	
600.	Mr. Syed Madhar	M. and S. M. Railway Employees' Union.
601.	Mr. A. S. Fernandez	
602.	Mr. S. M. Sundrachari	
603.	Mr. K. Veerasami	
604.	Mr. G. Krishnamurti	
605.	Mr. Lakhshminarayana ..	
606.	Mr. P. R. K. Sarma	
607.	Mr. P. J. Thomas, M.A., B. Litt., Ph. D., Professor of Economics, Madras University.	
608.	Mr. V. T. Arasu, President, 1929 Madras Youth League.	
609.	Mr. K. V. Sesha Ayyangar, Chairman, Madras Panel of Lawyers.	
610.	Mr. P. A. Krishnaswamy ..	Madras Representative, Christian Council.
611.	Rev. Paul Ramaseshan ..	
612.	Mr. P. Rothera, Agent ..	S. I. Railway.
613.	Mr. A. H. Smyth, Chief Transportation Superintendent.	
614.	Mr. H. A. Reid, Deputy Chief Mechanical Engineer.	
615.	Dr. C. E. R. Norman, Chief Medical Officer.	
616.	Mr. A. Srinivasa Iyer, Assistant Auditor.	
617.	Mr. P. Govindaraj, Assistant Secretary to the Agent.	
618.	Mr. T. V. K. Naidu	S. I. R. Labour Union, Trichinopoly.
619.	Mr. S. Mohan Swarna ..	
620.	Mr. Mudalamuthu Mudaliar ..	
621.	Mr. Ernest Kirk	S. I. R. Labour Union, Coimbatore.
622.	Mr. A. Ekambaram	
623.	Mr. P. S. Krishnaswamy Iyer ..	
624.	Mr. A. Sundramurthy	
625.	Mr. R. R. Birmamuthano ..	
626.	Mr. R. W. Suares	Anglo-Indian Employees of the M. and S. M. and S. I. Railways.
627.	Mr. Dias	
628.	Mr. Thoman	
629.	Mr. S. Hockins	
630.	Mr. Freeman	
631.	Mr. French	
632.	Mr. S. P. Y. Surendranath Voegeli-Arya, President.	Madras Electric Tramway and Supply Corporation Employees' Union.
633.	Mr. Koppaswamy Mudaliar, Secretary.	
634.	Mr. Kanagasbai Mudaliar ..	
635.	Mr. C. Gopal Menon	Southern Indian Chamber of Commerce.
636.	Mr. P. Raghavan Nair ..	
637.	Dr. Ahmad Mukhtar, M.A., Ph. D., Professor of Economics, Annamalai University.	
638.	Miss Azariah, District Secretary, Y. W. C. A., Madras.	
639.	Mrs. Cousins	Women Social Workers.
640.	Mrs. Bhagirathi Sri Ram ..	

641. Mr. V. M. Ramaswamy Mudaliar
642. Mr. T. M. Parthasmatty Mudaliar
643. Mr. T. Muthswamy Pillai ..
644. Mr. R. Ketari Muthu Chetty ..
} Kerosene Oil Workers' Union.

645. Mr. M. S. Kotiswaran, B.A., L.T., Representative of the Madras Port Trust and Harbour Workers' Union, etc.
646. Mr. S. Pillai, Patron, The Chingleput District Labour Guild, Kodambakam.
647. Mr. J. Hargreaves .. Manager, Carnatic Mill.
648. Mr. W. E. Bentley .. Manager, Buckingham Mill.
649. Dr. G. P. Raghaviah .. Medical Officer, Carnatic Mill.
650. Miss M. Sage, M.A. .. Joint Principal, the Buckingham and Carnatic School.
651. Mr. K. O. Anthoni .. .. Secretary, the Buckingham and Carnatic Mills Work-people Welfare Committee.
652. Mr. V. Subramani Aiyar .. Manager, Choolai Mills.

653. Sir Fairless Barber .. ..
654. Mr. H. L. Pinches .. ..
655. Mr. C. R. T. Congreve ..
656. Lt.-Col. C. H. Brock ..
657. Mr. F. E. James .. ..
} United Planters' Association of Southern India.

658. Mr. B. Shiva Rao .. ..
659. Mr. Ramanujulu Naidu ..
660. Mr. Selvapathy Chetty ..
} Madras Labour Union.

661. Mr. A. G. Leach, I.C.S. .. Secretary to the Government of Madras, Public Works and Labour Department.
662. Mr. J. Gray, O.B.E., I.C.S. .. Commissioner of Labour.
663. Mr. S. A. Cartledge .. Chief Inspector of Factories.
664. Captain N. R. Ubhaya, I.M.S. Director of Public Health.
665. Mr. W. E. Smith, M.A., I.E.S. Offg. Director of Public Instruction.

666. Mr. W. M. Browning ..
667. Mr. C. E. Wood, M.L.C. ..
668. Mr. F. G. Luker .. ..
} Employers' Federation of Southern India, Madras.

669. Mr. Muhammad Ubaidullah with eight others. Buckingham and Carnatic Mills Employees' Union.

Coonoor, March 9th-10th, 1930.

670. Col. R. McCarrison, C.I.E., I.M.S. Director, Nutritional Research, Pasteur Institute.

671. Lousia .. .. .. Woman Worker ..
672. Jebakanti .. .. Woman Worker ..
673. Lazarus .. .. .. Mistri .. ..
674. Palaniappan .. .. Pruner .. ..
675. Angappan.. .. .. Worker .. ..
} Nonesuch Tea Estate.

676. Lt.-Col. L. L. Porter, O.B.E., V.D. Managing Director, Nonesuch Tea Estate Co.
677. Lt. Commander L. G. Elkington, R.N. (Retd.). Manager, The Ibex-Lodge Estate.
678. Mr. L. A. Hawke .. .. Manager, Singara Tea Estate.
679. Rayappan .. .. Mistri, Singara Tea Estate.

Coimbatore, March 11th, 1930.

680. Mr. E. Holden .. .. Manager, Kaleeswar Mills.

681. Valliammal .. .. Woman Worker ..
682. Rangammal .. .. Woman Worker ..
683. Luthmari .. .. .. Woman Worker ..
684. Gnanaprakasam .. .. Man Worker ..
} Coimbatore Spinning and Weaving Mills.

685. Mr. W. E. Winter .. .. Managing Director ..
686. Mr. J. F. Cheshire .. .. Mill Manager ..
687. Mr. F. Howard .. .. Weaving Manager ..
} Coimbatore Spinning and Weaving Mills.

Valparai, March 12th-13th, 1930.

No.	Name	Designation	
688.	Thangamani	Woman Worker	Pachamalai Estate.
689.	Chinnammal	Woman Worker	Pachamalai Estate.
690.	Chinnathambi	Mistri	Pachamalai Estate.
691.	Savari Mutthu	Worker	Pachamalai Estate.
692.	Maranney	Worker	Pachamalai Estate.
693.	Mr. J. E. Sampson	Manager, Pachamalai Estate.	
694.	Mr. J. H. Ireland Jones, Chairman.	Anamalai Planters' Association.	
695.	Mr. W. H. Martin	Anamalai Planters' Association.	
696.	Mr. J. E. Sampson	Anamalai Planters' Association.	
697.	Mr. E. Johnson	Anamalai Planters' Association.	
698.	Mr. A. W. F. Mills	Anamalai Planters' Association.	
699.	Dr. J. E. Measham	Anamalai Planters' Association.	
700.	Mr. G. B. Reade (Hony. Secy.)	Anamalai Planters' Association.	
701.	Chinnammal	Woman Worker	Thaymudi Estate.
702.	Palani Ammal	Woman Worker	Thaymudi Estate.
703.	Chengamalan	Worker	Thaymudi Estate.
704.	Chinnaswami	Worker	Thaymudi Estate.
705.	Pattakaran	Mistri	Thaymudi Estate.
706.	Mr. F. L. Schwinde	Manager, Thaymudi Estate.	
707.	Mr. Eric Johnson	Group Manager, Mudis Group of Estates.	
708.	Mr. J. C. Blackham	Group Manager	Lower Paralai Estate.
709.	Mr. A. Foote	Manager	Lower Paralai Estate.

Coimbatore, March 14th, 1930.

710. Mr. N. S. Ramaswamy Ayyanger, President, Labour Union.
711. Mr. E. F. Thomas, C.I.E., I.C.S., Collector and District Magistrate.

Coorg (Mercara), March 12th-14th, 1930.

No.	Name	Designation
712.	Katti Chattu	Workers in the Halleri Coffee Estate.
713.	Chikka Mataliga and his wife	Workers in the Halleri Coffee Estate.
714.	Muddathappa	Workers in the Halleri Coffee Estate.
715.	Girria	Workers in the Halleri Coffee Estate.
716.	Mr. J. H. Sprott	Manager of the Halleri and Santaghurry Coffee Estate.
717.	Mr. J. S. H. Morgan	Coorg Planters' Association, Mercara.
718.	Mr. P. J. Tipping	Coorg Planters' Association, Mercara.
719.	Col. H. Murland	Coorg Planters' Association, Mercara.
720.	Mr. A. B. Chengappa, M.L.C.	Planters.
721.	Rao Bahadur K. Subbayya	Planters.
722.	Honee Jen Kurumba	Workers on the Pollibetta Coffee Plantations.
723.	Bhimla	Workers on the Pollibetta Coffee Plantations.
724.	Ramdu	Workers on the Pollibetta Coffee Plantations.
725.	Mr. H. B. M. Babington	Manager, Pollibetta Coffee Estate.
726.	Mr. A. B. Madapa	The Heroor Coffee Plantations.
727.	Subu, Konkani	Women workers on the Kasbur Coffee Estate.
728.	Sibi, Konkani	Women workers on the Kasbur Coffee Estate.
729.	Jaori, Balgai	Women workers on the Kasbur Coffee Estate.
730.	Mr. N. K. Ganapaiah	Manager, Kasbur Coffee Estate.
731.	Mr. G. W. Priestly, I.C.S.	Commissioner of Coorg.
732.	Major F. R. Thornton, I.M.S.	Civil Surgeon.
733.	Rao Bahadur K. Chengappa	District Magistrate.

Bangalore, March 18th, 1930.

734. Mr. S. Guruswami .. .. Assistant Secretary, All-India Railwaymen's Federation, Berhampore.

Sholapur, March 20th-21st, 1930.

735. Mr. Vaikunthlal S. Thakore .. General Manager .. } Sholapur Spinning and Weaving Co., Ltd.
736. Mr. K. R. Lele .. .. Welfare Secretary .. } Sholapur Spinning and Weaving Co., Ltd.
737. Mr. H. H. Strutton .. Criminal Tribes Settlement Officer, Dharwar.
738. Mr. Hiebe .. .. Manager, Sholapur Industrial Settlement, American Marathi Mission.
739. Mr. P. G. Beke .. .. Secretary, Bombay Textile Labour Union, Sholapur Branch.
740. Rao Bahadur Dr. V. V. Mulay, L. M. & S. President, Sholapur Municipality.

London, July 9th-22nd, 1930.

741. Mr. Harold E. Clay .. National Secretary for the Passenger Services Group of the Transport and General Workers' Union.
742. Mr. C. J. Spencer .. .. General Manager, Metropolitan Tramways, Ltd.
743. Captain L. H. Green, M.A. .. Secretary, Flour-Milling Employers' Federation.
744. Mr. R. R. Bannatyne, C.B. .. Assistant Secretary, Home Office.
745. Sir Gerald Bellhouse, C.B.E. .. Chief Inspector of Factories, Home Office.
746. Sir Walter Kinnear, K.B.E. .. Controller of Health Insurance Ministry of Health.
747. Mr. J. F. G. Price, C.B. .. Principal Assistant Secretary, Unemployment Insurance Department, Ministry of Labour.
748. Mr. F. W. Leggett .. Principal Assistant Secretary, General Department. } Ministry of Labour.
749. Mr. J. S. Nicholson .. Assistant Secretary, Trade Boards Division. } Ministry of Labour.
750. Mr. S. R. Todd .. .. } Ministry of Labour.
751. Mr. H. L. French, C.B., O.B.E. .. Principal Assistant Secretary, Ministry of Agriculture and Fisheries.

Namtu, October 22nd, 1930.

752. Mr. E. Hogan Taylor .. General Manager .. } Burma Corporation, Ltd.
753. Mr. A. R. Oberlander .. General Superintendent .. } Burma Corporation, Ltd.
754. Mr. A. B. Colquhoun .. Mine Superintendent .. } Burma Corporation, Ltd.
755. Mr. C. A. Renou .. Chief Time-keeper .. } Burma Corporation, Ltd.
756. Mr. R. A. Sharpe .. Chief Accountant .. } Burma Corporation, Ltd.
757. Mr. H. T. Taylor .. Forest Manager .. } Burma Corporation, Ltd.
758. Mr. L. McDonough .. Railway Manager .. } Burma Corporation, Ltd.
759. Dr. J. O. Hamilton .. Chief Medical Officer .. } Burma Corporation, Ltd.

Yenangyaung, October 27th-28th, 1930.

No.	Name	Designation	Organisation
760.	Mr. J. Webster	Labour Superintendent, Burmah Oil Co., Ltd	
761.	U. Ba Than	Honorary Secretary	Burma Labour Union.
762.	U Tin Gyi	..	Burma Labour Union.
763.	U Thu Daw	..	Burma Labour Union.
764.	U Tha Za	..	Burma Labour Union.
765.	U Khant	..	Burma Labour Union.
766.	Ali Hamid	..	Burma Labour Union.
767.	U Myat San	..	Burma Labour Union.
768.	U Hti Bu	..	Burma Labour Union.
769.	Mr. J. H. Hunter	Assistant General Manager in India.	Burmah Oil Company, Ltd.
770.	Mr. J. Dalgleish	Agent, Khodaung Oilfields	Burmah Oil Company, Ltd.
771.	Mr. Marr Grieve	Superintending Engineer	Burmah Oil Company, Ltd.
772.	Mr. H. D. Kippen	Fields Accountant	Burmah Oil Company, Ltd.
773.	Mr. G. S. Terry	Fields Medical Officer	Burmah Oil Company, Ltd.
774.	Mr. W. B. Crawford	Assistant Fields Medical Officer.	Burmah Oil Company, Ltd.
775.	Mr. E. G. Pattle, I.C.S.	Warden, Burma Oilfields.	

Irrawaddy Flotilla Company's P. S. "Taping", October 29th, 1930.

No.	Name	Designation	Organisation
776.	Ibadul Huk	Seaman	Crew of P. S. "Taping".
777.	Abdul Nabi	Serang	Crew of P. S. "Taping".
778.	Gunoo Meah	Fireman	Crew of P. S. "Taping".

Rangoon, October 30th—November 8th, 1930.

No.	Name	Designation	Organisation
779.	Mr. A. B. Mehta	President	Burma Indian Chamber of Commerce.
780.	Mr. S. T. Sadasivan	..	Burma Indian Chamber of Commerce.
781.	Mr. V. A. L. Simham Ayyar	..	Burma Indian Chamber of Commerce.
782.	Mr. K. M. Desai	Secretary	Burma Indian Chamber of Commerce.
783.	Mr. C. F. Grant, I.C.S.	Chairman	Rangoon Development Trust.
784.	Mr. S. A. S. Tyabji	..	Representatives of Indian Labour in Burma.
785.	Mr. Abdul Bari Chaudhari	..	Representatives of Indian Labour in Burma.
786.	Mr. E. P. Pillay	..	Representatives of Indian Labour in Burma.
787.	Dr. P. A. Nair	..	Representatives of Indian Labour in Burma.
788.	Dhanialoo	Godown worker	Dunneedaw Saw Mills of Messrs. Steel Bros. & Co.
789.	Kamiya	Godown worker	Dunneedaw Saw Mills of Messrs. Steel Bros. & Co.
790.	Jagannathan	Worker Maistry	Dunneedaw Saw Mills of Messrs. Steel Bros. & Co.
791.	Surranna	Godown Maistry	Dunneedaw Saw Mills of Messrs. Steel Bros. & Co.
792.	Maung Po Htwe	Gunner	Dunneedaw Saw Mills of Messrs. Steel Bros. & Co.
793.	Mr. Howison	General Manager	Dunneedaw Saw Mills of Messrs. Steel Bros. & Co.
794.	Mr. Goodsir	Superintending Engineer	Dunneedaw Saw Mills of Messrs. Steel Bros. & Co.
795.	Mr. A. A. Conway	Acting Manager	Dunneedaw Saw Mills of Messrs. Steel Bros. & Co.
796.	Mr. A. E. L. Baylor	Manager	Messrs. Bulloch Bros. Rice Mills.
797.	Mr. F. M. Hall	Chief Engineer	Messrs. Bulloch Bros. Rice Mills.
798.	Mr. J. Oliphant	Superintending Engineer	Messrs. Bulloch Bros. Rice Mills.
799.	Mr. M. A. Krishnan	Contractors' Clerk	Messrs. Bulloch Bros. Rice Mills.
800.	Appalaswami	Worker	Messrs. Bulloch Bros. Rice Mills.
801.	Mr. A. J. Essack	Manager, Adamji Match Factory.	
802.	Mr. W. H. C. Prideaux, A.M.I.E.E.	Chief Inspector of Factories.	

803. Mr. C. Innes .. .. Deputy Chief Engineer, P. W. D. (Roads and Buildings Branch).

804. Captain R. B. Rushall .. Representing Stevedoring Firms in Rangoon.

805. U Set .. .. .. Municipal Commissioner.

806. Dr. K. Dalal .. .. Health Officer .. ..
807. Mr. Mann .. .. Chief Engineer.. .. — Municipal Corporation.

808. Mr. E. J. L. Andrew .. Assistant Protector of Immigrants and Emigrants (Retired).

809. Mrs. G. Martin Jones .. ..
810. Mrs. Fraser .. .. — National Council of Women in Burma.

811. G. Guru Valu .. .. Worker .. ..
812. Penti Sahib .. .. Gang Maistry ..
813. Naraini .. .. Stevedore Worker .. — At the Sule Pagoda Wharf.

814. Mr. J. R. D. Glascott, C.I.E. Agent .. ..
815. Dr. P. C. Hayne .. Chief Medical Officer .. — Burma Railways.

816. Ma Ohn Sein .. .. Woman Candle Packer
817. Surdu Ajam .. .. Indian Male Candle Packer.
818. Bhagelu .. .. Candle box maker .. — B. O. C. Syriam Candle Factory.

819. Mr. J. C. Hope .. .. Acting Works Manager ..
820. Mr. T. B. Gibson .. Acting General Manager..
821. Mr. H. McIntosh .. Chief Works Assistant ..
822. Mr. E. M. Shelverton .. Labour Welfare Superintendent. — Burmah Oil Coy.'s Refinery Works at Syriam.

823. Mr. A. B. Mallett .. Assistant Manager ..
824. Mr. J. C. Treleaven .. Cargo Superintendent .. — Messrs. Bulloch Bros. & Co., Agents, B. I. S. N. Co., Ltd.

825. Mr. W. T. Henry .. Manager .. ..
826. Mr. Thomas Cormack .. Assistant Manager .. — Irrawaddy Flotilla Co., Ltd.

827. U Ba Si, Bar.-at-Law .. ..
828. U Tun We .. .. — Burmese Labour Bureau.

829. Mr. Thaver .. .. (One of the Proprietors) ..
830. Mr. Mani Iyer .. .. (Head Clerk) .. .. — Messrs. Thaver Bros., Labour Contractors.

831. Mr. H. L. Nichols, I.C.S. .. Revenue Secretary to the Government of Burma.

832. Mr. B. W. Swithinbank, I.C.S. Secretary to the Government of Burma, Department of Local Self-Government.

833. Mr. A. J. Page, I.C.S. .. Director of Statistics and Labour Commissioner.

834. Lt.-Col. G. G. Jolly, I.M.S. Director of Public Health.

835. Mr. L. A. Havelock .. Offg. Excise Commissioner.

836. Mr. J. A. Cherry, C.I.E. .. Chairman, Commissioners for the Port of Rangoon.

837. Mr. E. J. B. Jeffery .. Traffic Manager, Rangoon Port.

APPENDIX IV.

LIST OF ASSISTANT COMMISSIONERS AND LADY ASSESSORS.

	Assistant Commissioners.	*Lady Assessors.*
Madras Presidency.	Mr. K. Kay	Dr. H. M. Lazarus.
	Mr. M. Jamal Mohamed Sahib Bahadur.	Mrs. Venkatasubha Rao.
	Mr. B. Shiva Rao, M.A. ..	Miss M. Azariah.
	Mr. Muhammad Ubaidullah Sahib.	
Bombay Presidency.	Mr. Hooseinbhoy A. Lalji, M.L.C.	Mrs. K. Wagh.
		Dr. T. J. H. Cama.
	Mr. R. S. Asavle, M.L.C. ..	Lady V. R. Nilkanth.
Sind ..	..	Mrs. Homai F. J. Karaka.
		Mai Hurdevibai A. Masand.
Bengal ..	Mr. J. A. Tassie	Miss Cornelia Sorabji.
	Mr. Sew Kissin Bhattar ..	Mrs. Kamini Roy (Coalfields only).
	Mr. K. C. Ray Chaudhuri, M.L.C.	
	Maulvi Latafat Hussain, M.L.C.	
United Provinces.	Sir Thomas Smith, V.D. ..	Mrs. K. Srivastava.
	Maulvi Mohammad Yaqub, M.L.A.	
Punjab ..	Lala Harkishan Lal	Dr. Curjel Wilson, M.D., D. P. H.
	Mr. W. Taylor	Miss Siraj-ud-din.
	Dr. Karam Chand Hiteshi.	
	Mr. M. A. Ghani.	
Burma ..	Mr. J. Tait	Mrs. T. T. Luce.
	U. Aye Maung.	
	Mr. S. A. S. Tyabji.	
	U. Hla Bu.	
Bihar and Orissa Coalfields.	Mr. James Mackie	Mrs. Kamini Roy.
	Mr. M. N. Mukerji.	
	Mr. Sibakali Bose.	
	Mr. K. N. Sen Gupta.	
Central Provinces.	Seth Mathuradas Mohata, M.L.C.	
	Mr. L. H. Bartlett, M.L.C.	
	Mr. R. W. Fulay, M.A., LL.B., M.L.C.	
	Mrs. Anusya Bai Kale, M.L.C.	
Assam ..	Mr. A. B. Beddow	Mrs. Ataur Rahman.
	Lt.-Col. H. C. Garbett.	
	Rev. Thenuram Saikia.	
Ajmer-Merwara.	..	Mrs. Tara Martin.
Delhi Province	..	Mrs. J. C. Chatterjee.
Coorg ..	Mr. A. E. J. Nicolls	Mrs. C. A. Timmayya.
	Mr. P. R. Thimmayya Punja.	
FOR RAILWAYS.		
All Centres ..	Mr. M. S. Gregory, M.C., M.I.C.E.	
	Lt.-Col. H. A. J. Gidney, M.L.A., I.M.S. (Retd.)	
	Major H. W. Wagstaff, M.C., R.E. (acted at Calcutta in place of Mr. Gregory).	

Assistant Commissioners.

Madras	.. Mr. Sreenivasalu.
Bombay	.. Mr. D. N. Dalvi.
Bengal	.. Mr. J. K. Chatterji.
Lahore	.. Colonel C. Walton, D.S.O. Pandit Ram Autar.
Ajmer	.. Sir Ernest Jackson, Kt., C.I.E. Mr. Govind Prasad, Bar.-at-Law.
Delhi	.. Rai Sahib Chandrika Prasad.

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